

**Board of Trustees  
Monthly Meeting Minutes  
April 10, 2023**

The Board of Trustees of the Village of Chester held its monthly meeting at the Village of Chester, 45 Main Street, Chester, NY conference room at 7:45pm, on Monday, April 10, 2023.

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

Also present: Clerk/Treasurer Angela O'Neill, Water Commissioner Gary A. Green Jr., Sergeant, Gene Iannuzzi, Village Code Enforcement Officer John Orr, Building, Planning and Zoning Board Secretary Sandra VanRiper, Village Street Superintendent Charles Bono and Village Attorney, Brian Nugent. Deputy Clerk, Jennifer Cruz and Chief, Timothy McGuire were absent.

**CALL THE MEETING TO ORDER:**

Mayor Christopher Battiato called the public hearing pertaining to the village wide 2023-2024 budget to order at 7:00 pm. Mayor asked the audience if anyone had questions. David Stevenson of 16 Elm St. posed a question about the methodology used to formulate the budget. He used building maintenance account as an example comparing prior year actuals to current budget. He wanted to know what happened to the monies not spent. Clerk/Treasurer, Angela O'Neill response: left over monies go to fund balance. Fund balance is used to fund capital projects, and to close the budget gaps from year to year, as the Village is restricted to a 2% tax levy increase year over year when health insurance and pensions costs average 17-18% increases. Mr. Stevenson asked if there is a way the public can know what capital projects the Village intends to fund, like street lighting since he noticed street lighting accounts jumped from \$9K to \$20K in one fiscal year. Clerk/Treasurer, Angela O'Neill explained that street lighting is not a capital project account but an operating account in the A Fund, and the reason for the increase was due to the supply purchase agreement that sustained a 35% increase in electric and gas prices. Capital Projects Outlay is outlined in the treasurer's report, or any resident may make an appointment with the clerk's office to address any specific questions related to capital expenditures. Mr. Stevenson recalled the I&I scoping and imagines there will be additional capital outlays to remediate infiltration. Mayor, Christopher Battiato stated that this is an ongoing project, that will be tackled by addressing the worst areas. The downtown Chester area was repaired in summer 2022. David Stevenson questioned Trustees, Alan Battiato and Brian Boone on the summer concert series about the overage in the department expenditures in the current year's budget, and why is the same amount being budgeted in the current year? Trustee Boone and Clerk/Treasurer O'Neill explained that overages will be addressed by presenting a budget modification that will include using restricted fund balance established by an anonymous donation to cover the overage in the department's overage. When the upcoming 23-24 budget was being formulated, it was established that the summer concert series dept. would not require an increase. No other questions were presented. A motion to close the public hearing was made by Trustee, Anthony Laspina and seconded by Deputy Mayor, Elizabeth A. Reilly at 7:12PM. All in favor.

Mayor Christopher Battiato called for the continuation of the public hearing on the proposed map changes of 31 parcels at 7:13PM. Planner, Kristen O'Donnell of Lanc & Tully explained that the

public hearing currently relates to local law for zoning map amendments and wants to be clear that the discussion pertains to the local law amendments as it relates to the 31 parcels and how the rezoning ties into the Comprehensive Plan. The Comprehensive Plan addressed the map amendments broadly but in this specific area the parcels should be rezoned to business from industrial as many of those parcels are already operating as business and the code should be cleaned up to reflect appropriate zoning and attract additional businesses and economic development to that area. This is what is before the board. Mayor stated the Village tried to feel out some of the current businesses, the lumber yard, Palmer Trucking via discussions of allowing them to continue their operations despite the zone changes via non-conforming uses, allowing expansion of up to 15% of total floor building subject to applicable law regulations. Those businesses would not be able to infringe on setbacks currently in place. The Village does not want to stifle current businesses' growth or harm current operations.

David Stevenson of 16 Elm Street, used the lumberyard as an example to pose the question of whether the business could expand 15% and 5 years later expand an additional 15%? Planner replied, no, total building expansion would be 15% based on the adoption of the local law.

Cliff Patrick of stated that the lumberyard and trucking company may need to expand their outdoor use as it is a big part of their operations. Mayor Battiatto stated that when they spoke with those business owners, those business owners stated their footprint is already there and expansion would be limited to an addition of 15% of their current building. Cliff Patrick stated that LP Transportation has a lot of vacant space that is currently not being used. Mayor Battiatto stated that building inspector, John Orr spoke to the owners in that area and the current owners were ok with the plan for zone changes.

Leslie Smith stated that her understanding is the comprehensive plan recommendations in Chapter 11 as it pertains to the zoning changes along Route 17 were supposed to be considered along with design guidelines, and I have not heard a word about design guidelines changes in any of the public hearings or discussions. Mayor Battiatto asked if she is referring to setbacks? Leslie Smith replied that she is referring to the appearance of the corridor. If projects come before the planning board for properties in that corridor the zoning changes should also include design guidelines for the applicant and the planning and zoning boards so that they conform to the comprehensive plans. Currently there are bulk tables which provide setbacks, parking requirements and that sort of thing but design guidelines address the aesthetic like the auto parts store project. Mayor stated that the village has a planning board to address that. Leslie Smith stated that someone needs to look at the current state of the corridor to determine what the Village would hope to have it look like for future development, as the comprehensive plan is supposed to look forward 5 to 10 years. Mayor Battiatto replied that the Board is trying to take the first steps which is changing the zoning and be rid of the industrial element so that it creates a more business friendly corridor. Leslie Smith stated that there is a recommendation in the Nexan's property currently zoned M2, and it should be looked at. Mayor Battiatto stated that members of the community are not in favor of that. Mayor Battiatto stated that the Village Board can visit the rezoning of Nexan's property, but he has not heard anyone in that vicinity interested in the rezoning of that parcel.

Gordon Shehab mentioned getting back to the lumberyard, the fact remains that there is a problem there as it looks just awful at the curbside with wrappings and debris all over the place just left there. Does the code change include the authority to enforce moving the material to the back of the building or at least clean up so that it looks more presentable? Mayor Battiato stated the Village currently has the authority to enforce clean up, but it is now a question if they will comply. John Orr has been out there several times. John Orr stated that they are coming before the planning board very shortly. The attorney for PDJ, Dominique Albano, stated that they are in the process of getting renderings and elevations for the proposed remodeling of the property. They are hoping to put their offices opposite the property to make it more presentable to the public and fix it up. Trustee Alan Battiato asked if the goal is to have all that covered. Ms. Albano replied that the site plan includes landscaping in the front to reduce dust. Plastic covering has also been discussed and updates to the building to make it look nicer.

Cliff Patrick stated that as far as the design guidelines, it is unfair not to have them in place as soon as possible because when a developer comes before the planning board and follow due diligence and look for rules, and then present their plan they may encounter a lot of local resistance.

Leslie Smith stated that Orange County has some design guidelines on their website the Village may be able to use.

Attorney Brian Nugent questioned if procedurally is the Board going to be wrapping up text amendments in with the map amendments? John Orr replied that it should be handled separately so that the zone changes are not further delayed. Brian Nugent cautioned that if the text amendments are not adopted with the zone change, the Board might continue to receive resistance to the zone change fearing the text amendments are never implemented. Planner O'Donnell stated that some text amendments may be included in the zone change local law to address this issue. Attorney Brian Nugent said he is fine with either decision or can put it together, but he would recommend doing the text amendments first before the rezoning of parcels, but rather than delay that, we can consider this as an amendment to the local law that is currently being considered on the map amendment. If there is a copy of the law with the map amendments that are already out there prior to the continuation of the public hearing, Brian Nugent stated that it makes more sense to do the text amendments, then change the zoning map, because otherwise, the same applicants that are resisting the zone change would still have to do so because there is no guarantee that the text amendment that would allow them to expand is ever going to happen.

Public Hearing remains open until 5/8/2023 at 7:00PM. A motion to continue the public hearing was introduced by Deputy Mayor, Elizabeth A. Reilly and seconded by Trustee, Anthony Laspina. All in favor.

**AUDIT OF BILLS:** Mayor Christopher Battiato noted that the audit of March 2023, Village's monthly bills for approval was complete.

A motion to pay the audited bills of March 2023, was made by Trustee, Alan Battiato, seconded by Deputy Mayor, Elizabeth A. Reilly. The motion was unanimously passed.

**APPROVAL OF MINUTES:** Approval of Monthly Meeting Minutes March 13, 2023.

A motion to accept the approval of the monthly meeting minutes for March 13, 2023, was made by Trustee, Anthony Laspina, seconded by Trustee Brian J. Boone. The motion was unanimously passed.

**APPROVAL OF SECIAL MEETING MINUTES:** Approval of Special Meeting Minutes March 1, 2023, meeting.

A motion to accept the approval of the special meeting minutes for March 1, 2023, was made by Trustee Alan Battiato, seconded by Trustee Brian J. Boone. The motion was unanimously passed.

**POLICE REPORT:** Sergeant, Gene Iannuzzi read police report as follows:

**1. Personnel:**

- Nothing to report.

**2. Citizen Issues:**

- Nothing to report.

**3. Public Safety Issues:**

- Officers have been out enforcing the NYS Vehicle and traffic laws, 470 tickets were issued for the month. 1,428 tickets have been issued this year to date.

**4. Facilities:**

- Nothing to report.

**5. Equipment:**

- Nothing to report.

**6. Vehicles:**

- Nothing to report.

**7. Other:**

- Chief McGuire, and retired Detective Vuksanocih testified in federal court in reference to the Nicholas Tartaglione case. This case was a quadruple homicide case that took place at the Likuid Lounge in Q Plaza where 4 men were murdered. Nicholas Tartaglione was found guilty of all charges and faces up to four life sentences. Sentencing will take place in October.

**8. Department Activity:**

<b>Call Type</b>	<b><u>March</u></b>	<b><u>2023</u></b>		
Calls for Service	<b>217</b>	<b>620</b>		
Criminal Cases	<b>45</b>	<b>137</b>		
Arrests	<b>31</b>	<b>93</b>		
Traffic Accidents	<b>7</b>	<b>31</b>		

A motion to accept the Police report as read submitted by Chief Timothy McGuire was made by Trustee Brian J. Boone, seconded by Trustee, Alan Battiato. The motion was unanimously passed.

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

**CASH BALANCES ENDING MARCH 31, 2023:**

<b><u>FUND/BANK ACCOUNT</u></b> <b><u>ENDING BAL</u></b>	<b><u>DEPOSITS</u></b>	<b><u>(DISBURSEMENTS)</u></b>	<b><u>INTEREST</u></b>
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**General Fund**

Savings (Sterling National Bank) 2,858,760.05	--	--	5,430.04
Checking (Orange Bank & Trust) 301,056.33	286,791.48	466,566.45	15.26
Savings (Orange Bank & Trust) 2,473,307.66	--	--	2,663.56
Savings (NY CLASS) 512,804.03	--	--	1,960.35

**Water Fund**

Checking (Orange Bank & Trust) 448,681.66	10,712.22	69,547.93	20.58
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**Sewer Fund**

Checking (Orange Bank & Trust) 130,773.32	132,233.29	300,750.00	13.30
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**Capital Projects Funds**

H01: Water (Sterling Natl Bank)	--	3,042.68	158.57
83,488.87			
H02: General (Orange Bank & Trust)	--	5,000.00	16.78
394,348.74			
H03: Sewer (Orange Bank & Trust)	--	--	--
393,352.74			

<u>Cumulative Fiscal Year Interest Earned by Fund 06/1/2022 – 6/30/2022    FYE 5/31/22 as of 6/30/21</u>			
General Fund	\$	63,637.64	\$ 510.00
Water Fund	\$	139.55	14.19
Sewer Fund	\$	91.38	2.46
Capital Projects	\$	986.11	N/A

**Treasurer's Discussion:**

- 1. STATEMENT OF REVENUE & EXPENDITURES:** Attached.
- 2. 2022-2023 SEWER COLLECTION/RE-LEVY:** 2022-2023 Sewer collection period has ended. Unpaid sewer amounts will be re-levied on to the 6/1/2023 village property tax bill. Final re-levy amounts will be presented at the May 8, 2023, Village Board meeting.
- 3. 2022-2023 WATER RE-LEVY:** Unpaid water balances as of 4/15/2023 over \$50.00 will be re-levied on the 6/1/2023 village property tax bill. Final re-levy amounts will be presented at the May 8, 2023, Village Board meeting.
- 4. 2023-2024 VILLAGE BUDGET:** The 2023-2024 village budget presented this evening includes 1.9500% increase in Village Property Tax Rate. The Village of Chester did not exceed the property tax cap imposed by the Office of the State Comptroller. The tax rate for 2023-2024 is \$15.141/thousands of assessed values, an increase of \$.5530 cents per thousand of assessed values.
- 5. 2023-2024 SEWER BUDGET:** Sewer rates for 2023-2024 have increased by \$10/unit. A single-family household's annual sewer bill will increase from \$400 to \$500.
- 6. 2023-2024 WATER BUDGET:** Water rates for 2023-2024 remain unchanged.



**7. 2023-2024 CAPITAL PROJECTS BUDGET:** The Village Board has authorized expending General Fund Balance for the purchase of the following:

- Street Dept. Equipment/Vehicle

Respectfully submitted,

Angela O'Neill  
Village Treasurer

A motion to accept Clerk/Treasurer's report as read by Clerk/Treasurer Angela O'Neill was made by Deputy Mayor, Elizabeth A. Reilly and seconded by Trustee, Anthony Laspia. The motion was unanimously passed.

**BUILDING REPORT:** Village Code Enforcement Officer John Orr read his report as follows:

Steris – Nucifora Blvd.

- 1– Site work continues.

92 Main Street

- 1- Pending ZBA.

12 Greycourt Ave Chester Ag

- 1- Project progressing.

9 Railroad Avenue

- 1- Issued permit for reconstruction of property.

1 Howland

- 1- Site work underway.

15 Sanford Avenue

- 1- Issued permit for the reconstruction of home damaged by fire.

29 Hudson Street

- 1- Issued permit for garage.

A motion to accept Village Code Enforcement Officer John Orr's report as read by Village Code Enforcement Officer John Orr was made by Trustee Alan Battiato, seconded by Deputy Mayor, Elizabeth A. Reilly. The motion unanimously passed.

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

We were called out three times during the month of March to deice and clear the streets. They ranged from rain to freezing rain with snow to 7" of snow. During the month of March, we used

66 tons of salt. Year to date we used 210 tons of salt. After each storm, the equipment was washed and serviced for the next storm.

As of April 1<sup>st</sup>, our Green Waste Removal Program has begun: Green Waste Materials must be curbside by 6:00am on Fridays. Branches must be no longer than 4 ft. and tied. Grass clippings and leaves must be in biodegradable bags. (Bags can be purchased at Lowe's and Shoprite.)

We spent a few days going around and putting down topsoil and grass seed where the edge of lawns was damaged from the snowplows and snow blower.

We spent a day blacktopping, going around filling the bigger potholes.

We spent a few days installing conduit and the bases for the light poles for the lights at the parking lot for the amphitheater.

We repaired a couple catch basins, one by 12 Oak Street and one at the intersection of Railroad and Jackson Street.

I would like to remind the village residents and everyone parking on village streets, that the snow ordinance for parking on the street will end on April 15. However, the Street Sweeping Ordinance will go into effect on all Fridays in which there is No Parking on Main St. (ALL) and Winkler PL. from the hours of 3:00am-6:00am.

Bulk collection has started again. Bulk collection will occur from April 1<sup>st</sup> to November 30<sup>th</sup>. You must schedule an appointment to have it picked up. Please contact Inter Waste Systems at 845-572-3300.

A motion to accept the Street Superintendent's report was made by Trustee Anthony Laspina and seconded by Deputy Mayor, Elizabeth A. Reilly the motion was unanimously passed.

**WATER REPORT:** 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 and Quarterly samples were taken to the lab.
- 4) Mark outs for dig safe NY.
- 5) Meter replacement continues.
- 6) Backflow preventer testing continues.



- 7) We repaired the curb box and fixed the service line leak at 1945 Kings Highway. I advised the property owner to replace the copper service due to pin holes.
- 8) We installed a meter at the new Steris building and turned on the water.
- 9) We installed a yard hydrant near the 911 memorial.
- 10) Walton lake is 2.5 inches over pin level.

A motion to accept the Water Commissioner's report was made by Trustee Brian J. Boone, seconded by Trustee Anthony Laspina. The motion was unanimously passed.

#### **PARK & RECREATION REPORT:**

- a. Michele Deshler of the Town of Chester's Parks & Rec is requesting board permission for the village wide yard sale on 6/10/2023 9AM – 2 PM (rain date 6/11/2023). A motion to grant permission for the village wide yard sale was introduced by Deputy Mayor, Elizabeth A. Reilly and seconded by Trustee, Anthony Laspina. The motion was unanimously passed.
- b. Michele Deshler of the Town of Chester's Parks & Rec is requesting board permission for the Holiday Lights Parade on 11/25/2023. A motion to grant permission for the Holiday Lights Parade was introduced by Deputy Mayor, Elizabeth A. Reilly and seconded by Trustee, Alan Battiato. The motion was unanimously passed.
- c. Cape Cod, MA Trip June 12 – June 16, 2023: Please call Michele @ 845-469-7000, Ext. 332.
- d. Summer Camp 6/26-7/31/2023, outdoors only. Text 845-325-7227 or email [mdeshler@townofchester.org](mailto:mdeshler@townofchester.org).
- e. Fireworks are scheduled for 7/8/2023 with a rain date of 7/9/2023.

#### **NEW BUSINESS:**

**Chester Cemetery Flag Sponsorship Discussion:** Deputy Mayor, Elizabeth A. Reilly stated that for the past 10 years or so the Chester Cemetery Association has held a fundraiser where people can sponsor a flag for \$5.00, and you have a tag you can put in memory of or in honor of...just a short phrase. If anybody is interested you can contact me, Betty Ann Reilly @ 742-4077. I will have a couple of other people helping with the calls. I hope to get the word out through the Chronicle.

**Historical Society Grand Discussion:** Treasurer of the Historical Society, Sue Bahren stated that the Orange County Office of Tourism grants municipalities monies to be used for signage. I

contacted Orange County because of the Historical Society down at the station. The Chester Historical Society rents the station from the County for \$1/year. Many vendors are buying their own signage and placing it on the ground by the station. Some of the signs' placement creates a hazard and they are ugly. After speaking with Orange County Parks & Rec and speaking with Jim Brooks, director of parks about putting directional signs at the exit of the walkway train station, near where the Christmas tree usually is. After discussing with Angela about the grant, I contacted Lewis Signs and got an estimate of \$912.50. The sign would have 8 panels, and more could be added. Business names, direction of the business, etc. would be printed on the sign. The cost is \$70.00 per vendor. Jim Brooks of Orange County has agreed that the Parks Dept. would install the sign. Grant deadline is end of October. Sue Bahren is seeking Village of Chester involvement to apply for the grant. A motion to authorize grant application to Orange County Dept. of Tourism not to exceed \$2,000 for the purposes of the signage to be installed by Orange County Parks & Rec Dept. by the railroad station. Motion introduced by Deputy Mayor, Elizabeth A. Reilly and seconded by Trustee, Alan Battiato. All in favor.

**Amrit Bhojwani of Holiday Inn:** Thanked the Village Board for allowing him to attend the meeting. On 3/7/2023 a new water meter was installed. We also had our backflow device inspected in January 2023 and it passed inspection, paperwork was submitted to the water dept. The new meter installation caused a continuous leak for many days. Mr. Bhojwani requested some sort of compensation for the loss of water and the bill they had to pay for repairs to the backflow device in the amount of \$3,565. A copy of the repair bill and the backflow test results was made available to the mayor. The mayor asked if the backflow device was repaired or replaced. Mr. Bhojwani replied it was repaired. Mayor asked if the amount of water lost was known, Mr. Bhojwani and the water commissioner stated the loss was over 400 gallons per hour from the time the water meter was changed to the time the backflow device was fixed, a span of four days. Mayor asked water commissioner if he was present during meter change. Gary Green stated he was and that with that type of unit, make and model, it is an epoxy line duct iron unit, like the ones at the high school and Pep Boys. These units are known to have tuberculation on the inside, meaning the test could pass one day and fail the next. Fluctuations in water pressure or heavy draws could cause a piece of tuberculate action to break free from inside the unit and cause the unit to fail. At that point, it would not have to be rebuilt but just cleaned. A little tuberculate action could have caused that when the new meter was installed. When the old meter was removed 2 golf size balls of tuberculate action were up against the valve for the backflow preventor. We were able to clean that out, but we did not know how much more was inside without taking it apart. Once the water was turned back on, air was in the line, and stirred things up inside the backflow preventer. After the unit was fixed, the new meter data showed that there were still leaks detected in the building separate from the backflow. Mr. Bhojwani stated that the building is quite large, and it is difficult to determine exactly where leaks are coming from. Counsel suggested that since this is the public's money, a formal request be submitted by Mr. Bhojwani, data and a formal statement be submitted by Gary Green so that it may be reviewed by the Village Board and a reasonable decision be made. If the Village Board decides to rectify in any way, it should be included in the May 2023 agenda and a formal resolution will be presented to that effect.

## 23-10 RESOLUTION ADOPTING THE 2023-2024 VILLAGE BUDGET

WHEREAS a tentative budget (the “Proposed Village Budget”) for the Village of Chester was prepared and introduced for the 2023-2024 fiscal year: and

WHEREAS, a public hearing was held on April 10, 2023, and all interested persons were afforded an opportunity to be heard with respect to the Proposed Village Budget, after which such public hearing was closed.

NOW, THEREFORE, be it hereby

RESOLVED, that the Mayor and the Board of Trustees of the Village of Chester hereby adopt the proposed Village Budget of the 2023-2024 fiscal year, including any amendments to such budget as approved by the Board of Trustees, which shall, upon adoption, become the final Village Budget for the 2023-2024 fiscal year: and:

BE IT FURTHER RESOLVED that the Mayor, the Village Clerk/Treasurer, and any officer, employee or consultant, as directed by the Mayor, is authorized and directed to take any and all actions that are reasonably necessary, proper, or convenient to carry out the purposes of this Resolution.

Introduced By: Trustee, Alan Battiato

Seconded By: Trustee, Anthony Laspina

On a vote of 5 to 0 , the resolution was adopted

### **Roll Call**

	<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain/Absent</u></b>
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.

## 23-11 RESOLUTION ASSIGNING CELL TOWER REVENUE TO THE GENERAL FUND

RESOLVED, that, for the 2023-2024 Village Budget, all rent revenue generated from cellular leases for cellular towers located on Village Property shall be assigned to the Village’s General Fund in its entirety.

Introduced By: Trustee, Anthony Laspina

Seconded By: Trustee, Brian Boon

On a vote of 5 to 0, the resolution was adopted.

**Roll Call**

	<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain/Absent</u></b>
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.

**23-12 RESOLUTION CERTIFYING DELINQUENT SEWER & WATER CHARGES,  
AUTHORIZING LEVY OF SAME AGAINST REAL PROPERTY**

WHEREAS, the Village of Chester provides, among other things, sewer service to the residents of the Village of Chester and certain outlying property owners; and

WHEREAS certain property owners have failed to pay their outstanding balances for water and sewer services, including, but not limited to, late fee, interest and/or penalties; and

WHEREAS, pursuant to sections 79-45 and 95-11 of the Code of the Village of Chester, the Village Board may, as an alternative to the commencement of an action, levy past due sewer and water charges, and the associated late fees, interest, and penalties, upon the real property in default; and

WHEREAS, the Village Clerk/Treasurer has prepared a statement setting forth the amount of each lien for water and sewer charges in arrears, including penalties computed to the first day of the month following the month in which the fiscal year commences, the real property affected thereby, and the name of the person in whose name such real property is assessed, a copy of which is attached hereto as Schedule "A,"

NOW, THEREFORE, be it hereby

RESOLVED, that there shall be levied, assessed, and collected against the real property hereinafter specified the amounts set opposing such real property as certified on the Schedule "A" attached hereto; and be it further

RESOLVED, that a warrant for the collection of such arrears so levied shall be issued to the Tax Collector and collected by her in the same manner and at the same time as other Village Taxes; and be it further

RESOLVED, that the Village Clerk/Treasurer is hereby authorized to post notice of such warrant and collection as required by the Village Code and the laws of the State of New York; and be it further

RESOLVED, that the Village Clerk/Treasurer is hereby authorized to take such actions and to perform such other and further acts that are reasonably necessary, proper, or convenient to fulfill the purposes of this Resolution.

Introduced By: Trustee, Brian Boone

Seconded By: Deputy Mayor, Elizabeth A. Reilly

On a vote of 5 to 0, the resolution was adopted

**ROLL CALL:**

	<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain/Absent</u></b>
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.

**23-13 RESOLUTION APPROVING MAINTENANCE CONTRACT WITH  
C.R. WOLFE/GREINER GROUP**

WHEREAS proper operation, maintenance, and care of the mechanical systems on Village properties requires that the Village have available qualified mechanics when needed to service or repair such mechanical systems; and

WHEREAS, C. R. Wolfe/Reiner Group has performed such work for the Village in the past; and

WHEREAS, C. R. Wolfe/Reiner Group has submitted a proposal which is acceptable to the Mayor and Trustees for the period from May 1, 2023, to April 30, 2024.

NOW, THEREFORE, be it

RESOLVED, that the Mayor and Trustees find that the scope of work proposed to be performed by C. R. Wolfe/Reiner Group involves special technical skill, training, or expertise, as described in the Procurement Code of the Village of Chester, chapter 20 of the Village Code, so that competitive bidding is neither required nor appropriate; and it is further.

RESOLVED, that the Mayor and Trustees find that C.R. Wolfe/Reiner Group possesses the requisite qualifications to perform maintenance work on and emergency coverage for the Village's mechanical systems, and it is further.

RESOLVED, that the Village approve the Commercial Maintenance Agreement in the form presented to this meeting and authorize the mayor, or any person directed by the mayor, to take all actions necessary to carry out the provisions of this resolution.

Introduced By: Trustee, Alan Battiato

Seconded By: Trustee, Anthony Laspina

On a vote of 5 to 0, the resolution was adopted

**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.

**23-14 RESOLUTION OF THE VILLAGE BOARD PURCHASE  
TRACTOR FOR THE STREET DEPARTMENT  
PURSUANT TO NEW YORK STATE BID CONTRACT NO. 110719CIH**

**WHEREAS**, the Street Superintendent of the Village of Chester has advised the Village Board of the Village of Chester ("Village Board") that the Village needs to purchase a new tractor for the Street Department; and

**WHEREAS**, the Superintendent has advised the Village Board that there is a tractor available for purchase pursuant to New York State Bid Contract No. **110719CIH** with New Holland Agriculture through the Chambers Tractor Sales, Inc. (the "Tractor"); and,

**WHEREAS** the Village Board desires to purchase the Tractor.

**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 Superintendent to purchase the Tractor in an amount not to exceed Forty-Nine Thousand Three Hundred Eighty-Two dollars and sixty cents (\$49,382.60) pursuant to New York State's Bid Contract No., **110719CIH** said funds will be expended using A Fund Balance.



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.

Introduced by: Deputy Mayor, Elizabeth A. Reilly

Seconded by: Trustee, Anthony Laspina

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 A. Reilly	[X]	[ ]	[ ]	[ ]
Trustee Brian J. Boone	[X]	[ ]	[ ]	[ ]
Trustee Anthony Laspina	[X]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

### **23-15 RESOLUTION CONFIRMING LEGAL AND MAINTENANCE RESPONSIBILITY FOR BELL WAY**

**WHEREAS**, on or about February 10, 2020, the Village Board accepted an Offer of Dedication of Bell Way by Amante and Norris Associates, LLC as shown on Map No. 193-19 entitled "Amante-Norris Subdivision @ Carpenter Road" which Map was filed in the office of the Orange County Clerk on May 30, 2019; and

**WHEREAS**, for the purpose of inclusion of such road on the New York State Department of Transportation Local Highway Inventory ("LHI"), such Resolution should have included language that the Village accepts legal and maintenance responsibility for Bell Way; and

**WHEREAS** the Village Board desires to confirm that the Village accepts legal and maintenance responsibility for Bell Way.

**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 confirms its acceptance of legal and maintenance responsibility for Bell Way from its intersection with Carpenter Road to the dead end of Bell Way (approximately 0.05 miles).

Section 3. The Village Mayor or Village Street Superintendent are hereby authorized to take all actions necessary to carry out the provisions of this Resolution including execution of any documents necessary to have Bell Way listed on the LHI.

Section 4. This Resolution shall be effective immediately.

Introduced by: Trustee, Anthony Laspina  
Seconded by: Trustee, Brian Boone

On a vote of 5 to 0, the resolution was duly adopted.

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.

**23- 16 RESOLUTION APPROVING INTERMUNICIPAL AGREEMENT BETWEEN  
VILLAGE OF CHESTER AND CITY OF PORT JERVIS FOR FIREARMS TRAINING**

**WHEREAS**, the Village of Chester Police Department utilizes the City of Port Jervis Firearms Range for purposes of yearly qualifications for Village of Chester Police Officers; and

**WHEREAS**, in order to facilitate the use of the City of Port Jervis Firearms Range, the City has presented a proposed Intermunicipal Agreement for such purpose; and

**WHEREAS**, the Village Board desires to approve such agreement.

**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 approves the Intermunicipal Agreement in a final form to be approved by the Village's legal counsel.

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

Section 5. This Resolution shall be effective immediately.

Introduced by: Trustee, Brian Boone  
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.

Respectfully submitted,



Angela O'Neill  
Clerk/Treasurer