

**Village of Chester
Board of Trustees Meeting Minutes
November 13, 2018**

The Board of Trustees of the Village of Chester held their monthly meeting in the Village Hall meeting room on Monday, November 13, 2018.

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

Also, present: Village Clerk, Rebecca Rivera, Village Treasurer, Angela O'Neill, Attorney for the Village, Henry Christensen Jr., Village Street Superintendent, Charles Bono, Village Police Chief, Peter Graziano, Village Water Commissioner, Gary Green, and Village Code Enforcement Officer, John Orr.

Mayor John Thomas Bell opened the meeting at 7:02 PM with the Pledge of Allegiance.

Mayor John Thomas Bell welcomed everyone to the November 13, 2018 Village monthly meeting.

AUDIT OF BILLS: Mayor John Tom Bell noted that the audit of the **October 2018**, Village's monthly bills for approval was complete.

A motion to approve the audit of the bills was made by Trustee, Elizabeth A. Reilly, second by Trustee, Alan Battiato. Motion unanimously passed.

APPROVAL OF MINUTES: Monthly meeting minutes of October 1, 2018.

A motion to approve the Monthly meeting minutes of October 1, 2018 was made by Trustee, Brian J. Boone, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

TREASURERS REPORT:

CASH BALANCES ENDING SEPTEMBER 30, 2018

<u>Fund/Bank Account</u>	<u>Deposits</u>	<u>Disbursements</u>	<u>Interest</u>	<u>Ending Balance</u>
<u>General Fund</u>				
Savings (Sterling National; Bank)	--	--	627.22	2,914,185.83
Checking (Orange County Trust)	381,693.96	350,606.61	7.11	241,520.70
<u>Savings (Orange County Trust)</u>	--	150,000.00	304.14	3,173,474.24
<u>Water Fund</u>				
Capital Checking	--	--	8.46	98,293.21
Checking	70,909.93	32,218.09	17.76	366,794.30
<u>Sewer Fund</u>				
Checking	27,433.46	89684.87	37.32	711,543.93

Cumulative Fiscal Year Interest Earned by Fund 06/1/18 – 05/31/2019

General Fund	\$	4690.74
Water Fund	\$	134.07
Sewer Fund	\$	124.77

Treasurer's Discussion: Treasurer, Angela O'Neill read his report was as follows:

1. STATEMENT OF REVENUE & EXPENDITURES: Year to Date Report is attached.

2. 2018-2019 COLLECTION: Collection of Village Sewer continues. Sewer Installment #3 is due by 12/31/18.

3. UNPAID TAX: An unpaid tax file was submitted to Orange County Commissioner of Finance Office for the purpose of re-levying unpaid village property taxes on to the January 1, 2019 Town/County Property Tax Bill.

A motion to accept the Treasurer's report and allow for the editing as needed, read by Mayor, John Thomas Bell was made by Trustee, Elizabeth A. Reilly, second by, Deputy Mayor, Christopher Battiato. Motion unanimously passed.

BUILDING REPORT: Building Inspector/Code Enforcement Officer, John Orr, read his report was as follows

BYK – 48 Leone Lane

1- Work almost complete.

32 Leone Ln-

1- Roof work has started.

123 Main Street

1- Issued permit for general work to reopen Mexican Restaurant.

Whispering Hills

1- Issued permit for reconstruction of 6 decks.

2 Valley Court

1- Issued permit for the conversion of basement to living space.

Issued a few minor permits for reroofs and sheds.

A motion to accept the Building Department report, as read, was made by, Trustee, Alan Battiato, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

POLICE REPORT: Police Chief, Peter Graziano, read his report as follows:

1. Personnel:

- No issues.

2. Citizen Issues:

- Towing Rate Issues: A questionnaire was sent out to four permitted towing companies the results are attached of the three that responded. A copy of the results was submitted to the Board of Trustees, attached to the monthly police report. It will be up to the board to decide what is fair, leave the rates as is or taking in to consideration the rates that were submitted by the tow companies.
- Chief made mention that the towing companies would like to charge for cleaning up the scene of an accident. By law they must clean up but the Chief doesn't know if this is appropriate.
- Chief asked counsel if it's appropriate for the tow companies to charge for the cleaning the scene of an accident.
- Counsel was not sure and stated that he would have to look it up.
- Holiday Parade: Scheduled for Saturday 8 December at 6pm. the public is reminded to expect traffic delays and road closures on Main St from the train station to Cumberland Farms and into Hudson St area.
- Mayor Bell made mention that the Chester Academy Art Students will be painting the windows of the downtown Chester business for the Holidays. It's taking place on December 7, 2018. Rustic Wheelhouse will be serving the students pizza and hot chocolate.

Public Safety Issues:

- Traffic Details: Continuing.

- Halloween: No issues.
 - We received a check for \$4,254.52 from Orange County District Attorney’s Office for our portion of the \$10,376.88 in seized finds from the Pine Tree Spa raid. The Check was turned over to the Village Treasurer 17 Oct 18.

4. Facilities:

- No issues.

5. Equipment:

- We had a software problem with our records management system, there is no activity date this month. It is scheduled to be resolved on 14 November.

6. Vehicles:

- The replacement for 726 was delivered on 11 November appointments are being made for the upfit.

7. Other:

- No issues.

8. Department Activity YTD:

Call Type	2018
Calls for Service	N/A
Criminal Cases	N/A
Arrests	N/A
Traffic Accidents	N/A

A motion to accept the Police Department report, as read, was made by Trustee, Elizabeth A. Reilly, second by Trustee Brian J. Boone. Motion unanimously passed.

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

As of November 1st, the snow ordinance is in effect in which there is no parking on any village street between the hours of 3:00am to 6:00am.

We have repaired two catch basins on Main St., one by 19 Main St. and one by

We replaced 80’ of 15” Drainage pipe by 5 Highland Ave.

We have blacktopped the ditch line on Vadala Rd.,

A-Plus Striping has restriped the double yellow line on Whispering Hills Dr.

We have blacktopped the ditch line on Walnut St. where the new drainage pipe was installed by the school.

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

We also continue to pick up leaves.

We would like to remind the village residents that all weekly pick up, including leaf pick up will end December 1st, so we urge everyone to put out their leaves at the earliest convenience

The Street Department request the Board’s permission to purchase a new tractor with mower, snow blower, front bucket, and v-plow.

A motion to accept the Street Department report, as read, was made by Trustee, Elizabeth A. Reilly, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

WATER REPORT: Water Commissioner, Gary Green Jr., read his report as follows:

- 1) Daily filter plant & well operations
- 2) Twice per week filter cleaning
- 3) Weekly mowing of facilities
- 4) Power wash and cement work at Whispering Hills Tank.
- 5) Drained tank which was only 25% full due to the altitude valve being stuck closed.
- 6) Meter reading completed.
- 7) Clean in place procedure was completed on the membranes.
- 8) meter changing continues.
- 9) Monthly and Quarterly samples were taken to lab for testing
- 10) Marking out of water lines for Dig safe N.Y.
- 11) The 2015 Chevy was taken to the dealer to fix a recall problem.
- 12) Took apart the altitude valve at whispering hills tank.
- 13) Helped the Street department with tree removal behind village hall.

Trustee Elizabeth A. Reilly, asked about the backflow prevention device on 9 Winkler.

Water commissioner, Gary A. Green, stated that it was install no further issues.

A motion to accept the Water Department report, as read, was made by Trustee, Elizabeth A. Reilly, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

PARK & RECREATION: Park and Recreations Director, Lori Streichert made mention of activities taking place in Chester for Village and Town residents.

We had great success with our yoga and exercise classes.

We recently added some art classes which have been very well attended.

We are trying to do lectures the first Thursday of every month.

We had a session on the upcoming new Medicare plan and HEAP.

Final Basketball sign up is on the November 14, 2018 at the Park and Recreation Center.

We did have a dance class for Salsa and Merengue. Next month were going to have a class for line dancing.

We have senior matinee on November 15, 2015, movie Jumanji.

All these events are open to all and I would like the community to come out to check all the different events.

A session for Preventative medical services will be held at Park and Recreation Center on November 16, 2018 & January 18, 2019.

Holiday Children's party at Sugar Loaf Engine on November 30, 2018 from 6pm to 8pm.

Hudson Valley Community Services will be conduction a session with regards to SNAP and HEAP. Some people don't realize they qualify for those services.

Movie night at the Walton Engine & Hose Fire House on December 15, 2018. Movie is Polar Express.

The bus trip scheduled for December 1, 2018 has been cancelled due to very low registration.

The Chester Public Library has a program "Chester Family Fun Pass Program". Through this program you can purchase passes to the museums, intrepid, and Storm King Arts Center or the empire pass. They also have EZ pass, and DEC license.

Chester Commons will be close until Spring due to renovations.

Narcan classes went well.

OLD BUSINESS:

No Old Business pending.

OTHER BUSINESS:

18-37. Water Filtration and Protection Property Tax Exemption – 2020

WHEREAS, the Village of Chester is the owner of real property in the Town of Monroe, County of Orange identified on the tax map as follows:

Section	Block	Lot
18	5	11
13	1	28
8	1	8
8	1	12
8	1	16
8	1	21
8	1	22
8	1	23
8	1	24
8	1	35
8	1	42
8	1	44
8	1	45
8	1	46
8	1	53
8	1	54
8	1	77
8	1	78

WHEREAS, the above real property is devoted solely to public use and constitutes (a) part of the Village owned water system as the site for the Village's Water Filtration Plant, necessary connections, and appurtenances, and (b) lakefront parcels held to prevent pollution and contamination of the Walton Lake Reservoir; and

WHEREAS, the Real Property Tax Law, Section 406(3), provides the authority for each taxing district in which municipally owned property used in such manner is located to grant a whole exemption from real property taxes levied by that taxing district; and

WHEREAS, such exemption for the Village of Chester Water supply site real property would provide a direct and immediate benefit for the taxpayers and water users of the Village of Chester, which would enhance real property ownership, encourage industrial and commercial development, and exemplify a spirit of inter-municipal cooperation between the County of Orange and the Village,

NOW, THEREFORE, be it

RESOLVED, that the Village Board of the Village of Chester, on behalf of the Village of Chester, its taxpayers, water users and citizens hereby petitions the County of Orange to grant a whole exemption from Orange County real property taxes commencing for the calendar year 2020 for the parcels of real property identified as follows in the Town of Monroe:

Section	Block	Lot
18	5	11
13	1	28
8	1	8
8	1	12
8	1	16
8	1	21
8	1	22
8	1	23
8	1	24

8	1	35
8	1	42
8	1	44
8	1	45
8	1	46
8	1	53
8	1	54
8	1	77
8	1	78

and be it further

RESOLVED, that a copy of this resolution be forwarded to the appropriate Orange County Government officials.

18-38 Resolution Establishing Date of Village Board Reorganization Meeting

WHEREAS, the Village held its general Village Election; and

WHEREAS, thereafter, the newly elected Mayor and Board of Trustees must hold a reorganization meeting.

NOW, THEREFORE, be it hereby

RESOLVED, that the Board of Trustees of the Village of Chester, New York will hold the 2019 Village Reorganization Meeting on December 3, 2018, at 7:00 p.m. at the Village Hall with the regular monthly meeting to follow thereafter, and be it further

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

Introduced By: Trustee, Alan Battiato
 Seconded By: Deputy Mayor, Christopher Battiato
 On a vote of 5 to 0, the resolution was adopted

At the September meeting, there was a resolution to adopt the Senior Housing zoning amendments. However, that resolution was adopted without having made environmental impact findings and determination under SEQRA. As a result, the action was a nullity, and the Clerk could not file the Local Law with the Secretary of State.

I have prepared for your consideration a proposed Environmental Assessment Form, a typing decision, and a negative declaration, together with a revised form of resolution to adopt Introductory Local Law #2 of 2018.

EAF Form

A motion to adopt the SEQRA and the EAF for Introductory Local Law 2 of 2018 - Amendment to Section 98-23.1 of the Village Code, entitled Senior Housing as presented was made by Trustee, Brian. J. Boone, second by, Trustee, Alan Battiato.

By Roll Call

	<u>Yay</u>	<u>Nay</u>	<u>Abstain/Absent</u>
Mayor John Thomas Bell	'X'	' '	' '
Deputy Mayor, Christopher Battiato	'X'	'##'	' '
Trustee, Alan Battiato	'X'	' '	' '
Trustee, Elizabeth A. Reilly	'##'	'X'	' '
Trustee, Brian J. Boone	'X'	' '	' '

On a vote of 4 to 1, the resolution was adopted.

18-39 Resolution Adopting Introductory Local Law 2 of 2018 - Amendment to Section 98-23.1 of the Village Code, entitled Senior Housing

WHEREAS, on the 13th day of February 2018, a proposed local law was introduced, identified as Introductory Local Law #2 of 2018, proposing an amendment to Section 98-23.1 of the Village Code, entitled Senior Housing, and

WHEREAS, the proposed local law was referred to the Village Planning Board for a report and to the Orange County Department of Planning for comment; and

WHEREAS, the Planning Board filed its report with the Village Clerk; and

WHEREAS, on March 12, 2018, a public hearing was scheduled with respect to the said Introductory Local Law #2 of 2018 for the 9th day of April 2018, at 6:45 p.m.; and

WHEREAS, the Village Clerk gave due notice of this public hearing in accordance with the Village Code and the Laws of the State of New York; and

WHEREAS, on the 9th day of April 2018, the said public hearing was called to order, and such hearing was adjourned from time to time thereafter, to and including June 11, 2018, and all persons in attendance were given the opportunity to speak for or against the proposed legislation; and

WHEREAS, the said public hearing was duly closed on June 11, 2018; and

WHEREAS, the Mayor and Trustees, having considered any and all comments of the public concerning the proposed legislation, having considered the report of the Planning Board and the comments of the Orange County Department of Planning, having considered potentially significant environmental impacts and having determined the proposed legislation would not cause any potentially significant environmental impacts, and having determined that the adoption of same is in the best interest of the Village,

NOW, THEREFORE, be it hereby

RESOLVED, by the Mayor and Trustees of the Village of Chester that

The proposed adoption of this amendment to the Zoning Law relating to Senior Housing projects is typed as an unlisted action under the State Environmental Quality Review Act, and it is further

RESOLVED, that, there being no potentially significant environmental impacts from the Zoning Law amendment, the Short Form Environmental Assessment Form and negative declaration attached hereto are approved and adopted and the Mayor is authorized and directed to sign the same and the Clerk is authorized to file the same, and it is further

RESOLVED, that

Be it enacted by the Mayor and Trustees of the Village of Chester that Subsections F., G., and H. of Section 98-23.1 of the Village Code of the Village of Chester, entitled Senior Housing, be amended as follows:

Section 1. (Proposed new language appears in bold type and language proposed to be deleted shows as being stricken out.)

F. Lot and bulk requirements.

(1) The following lot and bulk requirements shall apply to projects for a SCH special use permit:

(a) Minimum *available* lot area. The minimum permitted lot area shall be ~~three~~ ***two and one half (2½)*** acres. In calculating the maximum number of dwelling units ~~per acre~~, any lands which are subject to flooding or which are occupied by public utility easements ~~or~~ in such manner as to prevent their use and development shall not be considered in calculation of ~~the total number of~~ available acres.

G. Site regulations.

(5) Building location. No building will have more than 24 dwelling units. The side of a principal building, if opposite the side of another principal building, shall be separated there from by a distance of not less than 1 1/2 the height of the opposite bounding wall. If the rear of any principal building shall face the front of another principal building, it shall be distant therefrom not less than twice the height of the opposite bounding walls. Each principal building will be not less than ~~25~~ **20** feet from any parking area or curb to provide for sidewalks, landscaping or both.

H. Building and unit requirements.

(b) Indoor community space. ~~Indoor community space and related equipment shall be required~~ ***Projects with 30 units or more shall*** provide indoor community space and related equipment to provide social and recreational opportunities for project occupants. Included may be such facilities as game rooms, indoor pool, meeting rooms, dining rooms, exercise rooms or other space for active or passive recreation. Such space, exclusive of a common lobby, hallways and basements, in a type and quantity as required by the Planning Board.

(c) Barrier-free access. All multifamily dwellings shall provide barrier-free access, and, at minimum, doors shall be three feet wide, thresholds shall be flush with the floor. ***When buildings are arranged with interior hallways to access housing units and when buildings are three stories or taller*** ~~ramps or~~ elevator shall be provided so that all areas of the structure are accessible to the physically handicapped.

(d) Appropriate twenty-four-hour private security and maintenance ***will be provided for projects with 30 units or more.***

Section 2. This local law will take effect upon its filing with the New York Secretary of State.

Introduced By: Trustee, Alan Battiato
Seconded By: Deputy Mayor, Christopher Battiato
On a vote of 5 to 0, the resolution was adopted.

By Roll Call

	<u>Yay</u>	<u>Nay</u>	<u>Abstain/Absent</u>
Mayor John Thomas Bell	'X'	' '	' '
Deputy Mayor, Christopher Battiato	' '	'X'	' '
Trustee, Alan Battiato	'X'	' '	' '
Trustee, Elizabeth A. Reilly	'##'	'X'	' '
Trustee, Brian J. Boone	'X'	' '	' '

On a vote of 3 to 2, the resolution was adopted.

18-40 RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 9 OF 2018 RESIDENCY OF APPOINTED OFFICIALS

WHEREAS, the Village contracts on an annual basis for the provision of Employee Assistance Plan services, and

WHEREAS, Catholic Charities of Orange Sullivan and Ulster Counties has provided such service to the employees of the Village under contract with the Village and such contract is expiring, and

WHEREAS, Catholic Charities has presented a proposed renewal agreement, and

WHEREAS, the Mayor and Trustees are satisfied with the services that have been provided by Catholic Charities and wish to renew the Village’s agreement with Catholic Charities,

NOW, THEREFORE, be it hereby

RESOLVED, that the Mayor and Clerk are hereby authorized to enter into the renewal and extension agreement with Catholic Charities in the form presented to this meeting.

Introduced By: Trustee, Elizabeth Reilly
Seconded By: Trustee, Alan Battiato
On a vote of 5 to 0, the resolution was adopted.

By Roll Call

	<u>Yay</u>	<u>Nay</u>	<u>Abstain/Absent</u>
Mayor John Thomas Bell	X	^	^
Deputy Mayor, Christopher Battiato	X	^	^
Trustee, Alan Battiato	X	^	^
Trustee, Elizabeth A. Reilly	X	^	^
Trustee, Brian J. Boone	X	^	^

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

18-41 RESOLUTION AUTHORIZING STREET DEPARTMENT TO PURCHASE EQUIPMENT.

RESOLVED, that the Village shall purchase from
Deere & Company
2000 John Deere Run
Cary, NC 27513

the following equipment at prices and at terms established by the contract for same awarded by New York State Office of General Services which contract remains in force at this time:

JOHN DEERE 2025R Compact Utility Tractor (18 PTO hp)

with attachments and specifications as detailed in Quote ID: 18467920 dated 02 November 2018,

and it is further

RESOLVED, that the Mayor, the Clerk, the Treasurer and the Streets Superintendent are authorized to take all appropriate action to carry out the intent of the foregoing Resolution.

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: Deputy Mayor, Christopher Battiato
 On a vote of 5 to 0, the resolution was adopted.

By Roll Call

	<u>Yay</u>	<u>Nay</u>	<u>Abstain/Absent</u>
Mayor John Thomas Bell	X	,	,
Deputy Mayor, Christopher Battiato	X	,	,
Trustee, Alan Battiato	X	,	,
Trustee, Elizabeth A. Reilly	X	,	,
Trustee, Brian J. Boone	X	,	,

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

18-42 RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 9 OF 2018 RESIDENCY OF APPOINTED OFFICIALS

WHEREAS, Introductory Local Law No. 9 of 2018, was presented at the October 1, 2018, Meeting of the Mayor and Trustees, proposing to adopt formally a residency requirement for appointed Village officers, and

WHEREAS, at the October 1, 2018, meeting of the Mayor and Trustees, a public hearing was set for November 13, 2018, to hear any and all comments from the public concerning such proposed legislation, and

WHEREAS, notice of such public hearing was duly published and posted, and such public hearing was duly convened on November 13, 2018, and all persons interested were afforded the opportunity to be heard as to the proposed legislation, and

Due consideration having been given to the proposed legislation, now, therefore

Be it enacted by the Mayor and Trustees of the Village of Chester as follows:

Section 1. Pursuant to Subsection 2 of Village Law §3-300, in lieu of any other residency requirement imposed by law, any appointed Village officer may reside anywhere within Orange County, New York.

Section 2. This Local Law shall take effect immediately upon filing with the Secretary of State.

Section 3. State Environmental Quality Review Act.

Pursuant to 6 NYCRR §617.5(30), this Local Law is classified as Type II action which requires no further review under the State Environmental Quality Review Act.

Introduced By: Trustee, Elizabeth A. Reilly
 Seconded By: Deputy Mayor, Christopher Battiato
 On a vote of 5 to 0, the resolution was adopted.

By Roll Call

	<u>Yay</u>	<u>Nay</u>	<u>Abstain/Absent</u>
Mayor John Thomas Bell	X	,	,
Deputy Mayor, Christopher Battiato	X	,	,
Trustee, Alan Battiato	X	,	,
Trustee, Elizabeth A. Reilly	X	,	,
Trustee, Brian J. Boone	X	,	,

Street Department New Hire to fill Laborer position

A motion to authorize the Street Department to hire Phillip LaSpina as fulltime Laborer was made by Trustee, Elizabeth A. Reilly, second by Deputy Mayor, Christopher Battiato. Motion unanimously passed.

CALENDAR:

- Proposed Comprehensive plan meeting will be held on Thursday, November 15, 2018 at 7pm. Location: **45 Main St., 2nd Floor** above Police Station in the Village hall conference room.
- Village of Chester will be **CLOSED** on Thursday, **November 22, 2018** and **November 23, 2018**, Thanksgivings Day, and the day after.
- Comprehensive Committee Meeting on Tuesday, **November 20, 2018 and Tuesday, December 4, 2018.**
- Veteran's Day ceremony will be held on Sunday, November 11, 2018 at 11am at the Firehouse.

PUBLIC COMMENTS:

Thomas Becker of 11 Sanford Ave mention that the trains are sitting and running for 2 or 3 days at a time. Trains are very loud, not courteous and no consideration. The employees started again to leave garbage near the railcars.

John Orr stated that he will contact M&M Farms.

Gordon Shehab of 68 High Street - mentioned the following issues with Meadow Hill Apartments located on 44 High Street:

1. There are dead trees near the garbage receptacles
2. The lights on the property don't have the covers as proposed.

John Orr is going to meet with the builder of Meadow Hill and address the items/issues residents have mention to include a list of items of his own.

ADJOURNMENT:

A motion to close the meeting at 7:50 pm and go into executive and not conduct any further business, was made by Deputy Mayor, Christopher Battiato, second by, Trustee, Brian J. Boone. Motion unanimously passed.

Respectfully submitted,

Rebecca Rivera
Village Clerk