

**Village of Chester  
Board of Trustees Meeting  
April 4, 2011**

The Board of Trustees of the Village of Chester held their monthly business meeting in the Village Hall meeting room on Monday, April 4, 2011. Members present: Mayor Philip Valastro, Deputy Mayor Philip Roggia, Trustee John J. Collins, Trustee Carole Duffy and Trustee Betty-Jo Bono. Also present: Village Attorney Ian Schlanger, Village Treasurer Angela O'Neill, Police Chief Peter Graziano, and Water Commissioner Thomas Becker. Code Enforcement Officer John Orr and Highway Superintendent J. Thomas Bell were absent. In audience: Ann Cutignola of Tim Miller Associates, Gordan Shehab, Nikki Mayer, Gina Dudgeon, Tom Kelly from Park and Recreation, Howard Spear of the Orange County Post.

Mayor Philip Valastro opened the meeting at 7:00 PM with the Pledge of Allegiance.

**AUDIT OF BILLS:** Mayor Philip Valastro noted audit of monthly bills for approval was complete.

**APPROVAL OF MINUTES:** A motion to accept the Village monthly business minutes of March 14, 2011 with the corrections to read Boy Scout instead of Cub Scout was made by Deputy Mayor Philip Roggia, second by Betty-Jo Bono. Motion unanimously passed.

**TREASURER'S REPORT:** Treasurer Angela O'Neill was present and read Treasurer's report as follows:

**CASH BALANCES ENDING MARCH 31, 2011**

| <u>Fund/Bank Account</u>                | <u>Deposits</u> | <u>(Disbursements)</u> | <u>Interest</u> | <u>Ending Balance</u> |
|---|-----------------|------------------------|-----------------|-----------------------|
| <b><u>General Fund</u></b>              |                 |                        |                 |                       |
| Provident Savings                       | 516,369.36      | 463,357.54             | 32.41           | 68,703.64             |
| Provident Savings                       | --              | 407,497.87             | 1,027.27        | 2,805,957.96          |
| <b><u>Water Fund</u></b>                |                 |                        |                 |                       |
| Provident Checking                      | 58,897.44       | 49,653.06              | 85.78           | 299,437.98            |
| Provident Capital MM                    | --              | --                     | 16.19           | 94,041.98             |
| Provident Capital Checking              | --              | --                     | 14.54           | 84,393.76             |
| <b><u>Sewer Fund</u></b>                |                 |                        |                 |                       |
| Provident Checking                      | 72,806.22       | 1083.10                | 28.26           | 166,450.27            |
| Capital Projects Fund                   |                 |                        |                 |                       |
| Key MM Savings                          | --              | --                     | 29.67           | 180,492.00            |
| <b><u>Unemployment Reserve Fund</u></b> |                 |                        |                 |                       |
| Key MM Savings                          | --              | --                     | 63.33           | 47,218.81             |

**Cumulative Fiscal Year Interest Earned by Fund 06/01 – 03/31/2011**

|              |          |
|--------------|----------|
| General Fund | 5,393.12 |
| Water Fund   | 1,427.60 |
| Sewer Fund   | 174.98   |

**Treasurer's Discussion:**

- (1) **EXPENSE CONTROL REPORT:** Year to Date Expense Control Report for all funds attached for your review. Should you have any specific questions related to this document, please feel free to discuss with me.
- (2) **REVENUE CONTROL REPORT:** Year to Date Revenue Control Report for all funds attached for your review. Should you have any specific questions related to this document, please feel free to discuss with me.
- (3) **2010-2011 BUDGET:** As we approach the end of our current fiscal year, I will analyze the current budget to identify any accounts that may need line item transfers. A formal budget modification report will be ready for board approval during May board meeting. Due to a budget freeze implemented by the Mayor earlier last month, a general fund surplus is expected which will be used to offset 2011-2012 adopted budget funding, thus minimizing tax rate increase.

- (4) **2011-2012 TENTATIVE BUDGET:** The 2011-2012 Budget to be adopted today represents the following:
- a. Estimated expenditures are projected at \$4,684,432 – a \$173,948 or 3.7% increase over 2010-2011. Approximately \$217,785 was reduced from the Tentative Budget in General Fund expenses. The Mayor, Board Members and Department Heads worked diligently to cut expenses in every budget line item in our current budget to minimize tax rate increases during this very difficult economic climate.
  - b. Estimated revenues are projected at \$838,516 – a \$300,065 or 26% decrease over 2010-2011. This drastic decrease over last year was the result the Village's Taxable Assessment. Again, an indication of the current economic conditions.
  - c. The Total Village Taxable Assessment has been finalized by the Town's Assessor at \$238,488,312 – representing a \$2,246,497 decrease in assessment value.
  - d. The tax levy is \$3,045,916 – a \$302,015 or 3.46% increase over 2010-2011. Due to the budget freeze in the current budget year, the Village will utilize a \$400,000 of surplus funds to offset the tax levy.
  - e. The adopted tax rate is \$12.77 per thousand – a 3.46% tax increase over the last fiscal year.
- (5) **BANKING:** Key Bank has been unable to provide a solution to the elimination of bank charges. In order to avoid additional increased bank charges beginning April 1, 2011, I have initiated the closure of all current accounts with Key. On March 21, 2011, the Mayor, Village Clerk and I met with Orange County Trust's, Senior VP, Kevin Kean and Branch Manager, Cathy Hunter. Orange County Trust is a local bank, who meets our banking requirements. They have the necessary collateral agreements, have committed to no bank charges to be incurred by the Village, and will supply deposit slips, checkbook free of charge. Bank accounts are now open and ready to be funded with funds from Key account. At this time I ask the Board to approve the bank change. The accounts to be funded at Orange County Trust are the T2 Escrow, Community Development Grant Fund, Water System Bond & Coupon and Capital Projects Fund.
- (6) **2010-2011 SEWER COLLECTION:** An unpaid sewer report will be submitted to the Office of Real Property on April 15, 2011. Unpaid sewer amounts plus a 10% penalty will be relevied to the 2011-2012 Village Property Tax Bills.

A motion to approve Orange County Trust Bank as a second depository for the Village of Chester was made by Trustee John J. Collins, second by Trustee Betty-Jo Bono. Motion unanimously passed.

A motion to accept the Village Treasures report was made by Deputy Mayor Philip Roggia, second by Trustee Carole Duffy. Motion unanimously passed.

**BUILDING REPORT:** Building Inspector/Code Enforcement Officer John Orr was absent and Mayor Valstro read report as follows:

Current projects that were inspected during the last month:

Lowe's

1- No Change from last month.

Palumbo 2 School Street

1- No Change from last month.

DePaulis

1- No Change from last month.

Sutherland 8 School St

1- No Change from last month.

C&S

1- Just about complete.

Holly Hill Church 62 Main Street

1- Work underway.

C&M Mechanical – 49 Lehigh Ave

- 1- Work underway.

Satin Fine Foods

- 1- No work has started.

Briggs – 24 Walnut St

- 1- Framing has started.

Trout – 6 Carpenter Rd.

- 1- Issued permit for a Garage.

**POLICE REPORT:** Police Chief Peter Graziano was present and read his report as follows:

1. Department Item:
  - Manpower: no Issues
2. Citizen Issues:
  - No issues
3. Public Safety Issues:
  - Traffic Details: Continuing.
4. Facilities:
  - No issues.
5. Equipment:
  - No issues.
6. Department Activity:

|                   |      |
|-------------------|------|
| Call Type         | 2011 |
| Calls for Service | 740  |
| Criminal Cases    | 178  |
| Arrests           | 110  |
| Traffic Accidents | 042  |

**HIGHWAY REPORT:** Highway Superintendent J. Thomas Bell was not present, no report submitted.

**WATER REPORT:**

1. Daily filtration plant and well # 12 routine.
2. At the Filtration plant we were having problems with skid B high TMP (trans membrane pressure) and followed recommendations of the Pall corp. to increased circulation times on a CIP backwash to help correct the problem. So far it seems to have helped. We have also experienced more problems with our Monthly reports. When the time changed reporting stopped and restarted at midnight. The same thing happened the following weekend.
3. We have started to test backflow preventing devices.
4. The Painting of the Whispering Hills water tank has been completed. This week we will be bolting the hatches closed, Chlorinating and filling the tank. Before we go back in service we must do VOC testing and two consecutive days of bacteria sampling.
5. During the past month we have located and fixed several water leaks at locations in the Village. One on 17M (Wolvies) that was inside the vacant building and leaked for several months and one at 13 Meadow Ave on the service line.
6. We have started reading meters.
7. Our Drinking Water Quality Report has been completed.
8. The comity for the overlay district for Well#12 has met several times and is working towards finalizing the draft for the Town and Village to review and scheduled a public hearing.

**PARK & RECREATION:** No report submitted.

**OTHER BUSINESS:**

Mayor asked for a motion to approve the comments on the BT Holdings FEIS submitted by Tim Miller Associates. A motion was made by Deputy Mayor Philip Roggia, second by Trustee Carole Duffy. Motion passed unanimously.

Ann Cutignola of Tim Miller Associates, Inc. introduced herself to the newly elected Trustee Betty-Jo Bono. Ann addressed the Mayor and the Village Board Members and gave brief explanation on the changes made to the FEIS. Ann Cutignola also expressed that she was available at any time should the Mayor and/or the Village Board members have any specific questions to the changes made to the FEIS. Ann stated that is has been a long relationship between BT Holdings and the Village Board and she hopes that the end results are favorable to the Village Board as well as BT Holdings.

**Resolution Adopting the 2011/2012 Village Budget**

WHEREAS a proposed budget for the Village was prepared and introduced for the 2011/2012 fiscal year; and

WHEREAS a public hearing was held and closed on April 4, 2011; and

NOW, THEREFORE, be it hereby

RESOLVED that the Village Board hereby adopts the revised proposed Village Budget of the 2011/2012 fiscal year which upon adoption, becomes the Village Budget for the 2011/2012 fiscal year.

Introduced By: Trustee John J. Collins

Second By: Deputy Mayor Philip Roggia

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

**Resolution Modifying Water Rents and Charges:**

WHEREAS, pursuant to Section 95-10(a), the Board of the Village of Chester (the "Village Board") may, from time to time, at any meeting thereof, modify the water rents and charges for the Village of Chester (the "Village"); and

WHEREAS the Village Board has reviewed the Village's current schedule of water rents and charges; and

WHEREAS the Village Board has determined that it is in the best interests and needs of the Village to increase the same,

NOW, THEREFORE, be it hereby

RESOLVED, that the water rents and charges for the Village shall be increased as follows:

**FOR PROPERTIES WITHIN THE VILLAGE:**

|             |           |                              |        |                   |
|-------------|-----------|------------------------------|--------|-------------------|
| Next        | 999,000   | Gallons per billing period @ | \$4.00 | Per 1,000 gallons |
| Excess over | 1,000,000 | Gallons per billing period @ | \$5.00 | Per 1,000 gallons |

**FOR OUT OF CORPORATION USERS:**

|             |           |                              |        |                   |
|-------------|-----------|------------------------------|--------|-------------------|
| Next        | 999,000   | Gallons per billing period @ | \$5.50 | Per 1,000 gallons |
| Excess over | 1,000,000 | Gallons per billing period @ | \$6.50 | Per 1,000 gallons |

And be it further

RESOLVED, that, the Schedule of Water Rents and Charges shall be amended to reflect these changes; and be it further

RESOLVED, that the Village Clerk shall take such actions as may be necessary to effectuate the same.

Introduced By: Trustee Betty-Jo Bono

Second By: Deputy Mayor Philip Roggia

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

**Resolution Authorizing Mayor to Enter into an Inter-Municipal Agreement with County for Pavement Markings on Non-County Roads for the 2011 Season:**

WHEREAS County of Orange ("County") has the necessary machinery and equipment to apply pavement markings upon certain non-county roads; and

WHEREAS it would be beneficial to the Village of Chester ("Village") to have the County perform such work; and

WHEREAS the County has offered to perform said work pursuant to the terms and conditions of an inter-municipal Agreement (the "Agreement"); and

WHEREAS the Trustees of the Village of Chester have reviewed the Agreement and approve of the same; and

WHEREAS the Attorney for the Village has reviewed and approved the basic terms of the Agreement,

**NOW, THEREFORE,** be it

RESOLVED that the Mayor and Trustees of the Village of Chester, having reviewed the proposed Agreement with the County of Orange, hereby authorize the Mayor to enter into an agreement substantially in accordance with the terms presented tonight to the Mayor and Trustees, provided the same is approved by the attorney for the Village.

Introduced By: Trustee John J. Collins

Second By: Trustee Carole Duffy

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

**Park and Recreation – Tom Kelly to discuss upcoming events in the Town of Chester:**

Tom Kelly thanked the Mayor, Board members, highway, police and water departments for all their cooperation within the past year. The Park and Recreation has had great success with various activities. Tom Kelly stated that the park & recreation would like to have the Fireworks on July 9, 2011 with a rain date of July 10, 2011. Tom mentions that the fireworks will be funded by Suburban Propane once again. The Park & Recreation will be having movie night in the village on July 22, 2011 at the soccer field and will be funded by Chester Shoprite. Deputy Philip Roggia asked Tom when the next park & recreation meeting is taking place. Tom stated that the meetings are held on the third Tuesday of every month. Tom Kelly also took the opportunity to congratulate the newly elected Trustee Betty-Jo Bono.

**Matthew Dudgeon Memorial Fund Eleventh Annual Walk/7K**

Gina Dudgeon attended the meeting to express to the Village Board the reasons as to why she decided not to hold the Matthew Dudgeon Memorial Fund Eleventh Annual Walk/7K Run event this year in the Village of Chester. Ultimately, Gina decided to move the event to Chester Academy due to the letter she received from the Historical Society's secretary, demanding monetary contributions to the Historical Society should she decide to host the Matthew Dudgeon Memorial Fund Eleventh Annual Walk/7K event in the Village this year. Gina was personally offended by such demand, since for the past 10 years her contributions have been more than generous to the Historical Society's Railroad building through plantings donated to the property, as well as personal care in cleaning the facilities. In addition, Gina expressed that this event generated a significant amount of foot traffic to the Village, thus generating income for the local businesses.

**Touch Base – 30 day waiver for Liquor License**

A motion to waive the 30 day waiver for Liquor License for Touch Base establishment located on 9 Winkler Place, Chester, NY was made by Deputy Mayor Philip Roggia, second by Trustee Betty-Jo Bono. A Motion unanimously passed.

**Utility Gross Tax:**

Mayor Valastro voiced his concerns regarding the Utility Gross Tax Law. The current local law in place was established in 1959 and has not been revised. The Mayor mentioned that the village board should further discuss and revisit.

**Planning Board & Zoning Board Alternates – Discussion with regards to vacant positions:**

Mayors mentioned that the Village Planning and Zoning Boards are looking for alternates. The applicant must be a village of Chester resident. After the Mayor gave a brief explanation of the job description and its specification, he asked if someone is interested to drop off resume at Village Clerks office.

**CALENDAR:**

- May 1, 2010 - Annual Chester Clean up - Tom Flynn from Flynn Funeral home was present and
- Chester Cleanup will take place on May 1, 2010 starting at 8am – 11am volunteers needed.
- May 8<sup>th</sup>, 2010 – Matthew Dudgeon Tenth Annual Walk/7k Run
- Senior Movie day at the Senior Center from April 16, 2010 -12pm – 1pm.
- Records Retention day – April 16, 2010 – Village of Chester will be closed.

**ADJOURN:** A motion to adjourn the regular was made by Deputy Mayor Philip Roggia, second by Trustee Betty-Jo Bono. Motion unanimously passed.

Respectfully submitted,



Rebecca Rivera  
Village Clerk