

**Village of Chester
Board of Trustees Meeting
June 14, 2010**

The Board of Trustees of the Village of Chester held their monthly business meeting in the Village Hall meeting room on Monday, May 10, 2010. Members present: Mayor Philip Valastro, Deputy Mayor Philip Roggia, Trustee John Collins, Trustees John J. Reilly, III and Trustee Carole Duffy. Also present: Village Attorney Ian Schlanger, Chief Peter Graziano, Water Commissioner Thomas Becker and Code Enforcement Officer John Orr. Highway Superintendent J. Thomas Bell was absent. In audience, Nikki Mayer, Gordon Shehab, Danny Gorman, Ted Tallmadge, Tom Kelly, Katie Vander Bush & Susan Clever .

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

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

APPROVAL OF MINUTES: A motion to accept a Village monthly business minutes of May 10, 2010 was made by Deputy Mayor Philip Roggia second by Trustee Carole Duffy. Motion unanimously passed.

TREASURER'S REPORT: Treasurer report not submitted.

Resolution Village Budget Modification/Transfer:

WHEREAS a review of the 2010/2011 Village Budget disclosed that certain budgeted expenses require a transfer and/or modification of certain expenditures; and

WHEREAS the Village Board has reviewed and approved of the budget modification/transfer,

NOW, THEREFORE, be it

RESOLVED that the 2010/2011 Village budget is hereby modified as follows: by increasing Revenue Account A.0000.3089.0400 by \$30,000 and increasing the Expenditure Account A.111 0.0200 by \$ 30,000.

Introduced by: Trustee John J. Collins

Second by: Trustee Carole Duffy

On a vote 5 to 0, the resolution was adopted

Resolution Modifying Tax Warrant for Unpaid Sewer Services:

WHEREAS the Village of Chester authorized the Village Clerk and Village Tax Collector, pursuant to section 79-45 of the Code of the Village of Chester, to levy past due sewer charges and the associated late fees, interest and penalties upon the real property in default; and

WHEREAS a review of the amounts due disclosed that a modification/amendment of the amounts was required,

NOW, THEREFORE, be it hereby

RESOLVED that the amounts to be levied, assessed, and collected are modified/amended pursuant to the schedule 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 and/or Tax Collector 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.

Introduced by: Trustee John J. Collins

Second by: Deputy Mayor Philip Roggia

On a vote 5 to 0, the resolution was adopted

4. BUILDING REPORT: Building Inspector/Code Enforcement Officer John Orr was present and read his report as follows:

Current projects that were inspected during the last month:

Lowe's

1- "No Truck Parking" signs have reduced the truck parking.

Nexans

1- No Change from last month.

Palumbo 2 School Street

1-Framing has been complete.

DePaulis

1- Fill work underway during the month.

Sutherland

1-No work has started

C&S Truckers Lounge

1- Building almost completed.

Essence Nails

1- Certificate of Occupancy issued.

Christopher's Bistro 69 Brookside Ave. Q-Plaza

1-Minor work has started.

Since the May's meeting I have issued 11 minor building permits for decks, fences, pools, re-roofs and signs. Building department income from permits for the month totaled \$1807.00.

Also since May's meeting I have sent 5 violation notices out dealing with unregistered vehicles and lawn maintenance issues. Almost all have been corrected to date.

In conjunction with the police department I have been dealing with parking and garbage problems on Jackson St.

Resolution Referring the Application and Petition of Green Bull North LLC to the Planning Board:

WHEREAS the Mayor and the Trustees of the Village of Chester (the "Village Board") received an application and petition from Green Bull North LLC (the "Petitioner"), pursuant to Article 7 of the Village Law of the State of New York and Chapter 98, Article X, of the Code of the Village of Chester, to amend the Village Zoning Law to change the zoning district of property identified on the Tax Map of the Village of Chester as SIBIL: 114- 1-10.1, 10.2, and 17, consisting of approximately 8.3 acres of land, from the M-2 Zoning District, Manufacturing, to the B-2 Zoning District, General Business (the "Proposed Action"); and

WHEREAS section 98-39 of the Village Code, requires the Village Board, prior to any public hearing, to submit the proposed zoning changes to the Planning Board of the Village of Chester (the "Planning Board") for a report on the proposed amendment; and

WHEREAS the application and petition was accompanied by a short form Environmental Assessment Form ("EAF") and other supporting materials; and

WHEREAS the Proposed Action is classified as an "action" under the New York State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"),

NOW, THEREFORE, be it

RESOLVED that the Village Board hereby types the Proposed Action as an "Unlisted" Action under SEQRA; and be it further

RESOLVED that the Village Board will act as Lead Agency with regard to the Proposed Action; and be it further

RESOLVED that the matter is hereby referred to the Planning Board in accordance with section 98-39 of the Village Code; and be it further

RESOLVED that the Village Clerk is hereby directed to deliver copies of the Petitioner's application and petition to the Planning Board along with a copy of this resolution.

Introduced by: Trustee John J. Collins

Second by: Deputy Mayor Philip Roggia

On a vote 5 to 0, the resolution was adopted

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

1. Department Items:

- Manpower: No issue
- Vehicles: No issue

2. Citizen Issues:

- Fireworks display 10 July @ dusk. Information on traffic issues posted on website and will be updated as necessary.

3. Public Safety Issues:

- Traffic Details: Continuing.

4. Facilities:

- No issues.

5. Equipment:

- No issues.

6. Department Activity:

YTD

Blotters = 1413

Cases = 308

Arrest = 144

Accidents = 069

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

8. WATER REPORT: Water Commissioner Thomas Becker was present and read his report as follows:

- 1- Daily Filtration plant and Well #12 Routine.
- 2- Weekly mowing at all water facilities.
- 3- TOC samples from the Filter Plant were taken to the Lab.
- 4- At the Filtration Plant
 - a. We are now operating the plant.
 - b. A deficiency is being finalized by our Engineer.
 - c. We are currently experiencing alarms on low voltage to raw water pumps, Chlorine sensor, Particle counters, Failed Integrity tests.
 - d. We have removed the air gaps on the finished water feed lines to eliminate water spray.
- 5- At C&S test holes were dug today to verify water main location and the replacement water main replacement will start this week.
- 6- One of our out of corp. water customers on Rt. 94 that has been shut down for non payment has paid the bill so service can be restored. I have been unable to contact the owner to make them aware of the policy which requires Village Board approval to restore water service.
- 7- A resident on Hambletonian Ave. has been refusing to give the water dept. access to the residence to repair a broken meter. I will have a water termination letter sent along with a copy off our code about access to homes.

Resolution Accepting Lowest Responsible Bid and Authorizing the Mayor to Enter into a Contract for the Whispering Hills Tank Painting Project.

WHEREAS, the Village Board for the Village of Chester, New York, has approved the design, plans, specifications and form of contract for the Whispering Hills Tank Painting Project (the "Project"); and

WHEREAS, the Village Board released the plans and specifications for bidding for the Project; and

WHEREAS, the Village Board established a bid opening date for the Project for September 30, 2009 at 2:00 p.m. in the Village Offices; and

WHEREAS, said bids have been opened and evaluated for compliance with bidders instructions; and

WHEREAS, It is now necessary for the Village Board to accept the lowest responsible bidder and authorize the Mayor to enter into a contract for the Project,

NOW, THEREFORE, BE IT

RESOLVED by the Village Board for the Village of Chester, New York, that the Village Board accepts the bid submitted JNP Construction for the Project, as specified and designed, in the amount of \$175,000; and be it further

RESOLVED, that the Major and is hereby authorized and directed to execute a contract with JNP Construction for the project.

Introduced by: Trustee John J. Collins

Second by: Trustee John J. Reilly III

On a vote 5 to 0, the resolution was adopted

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

10. **OTHER BUSINESS:**

Satin Fine Foods

RESOLUTION OF SUPPORT AND CONCURRENCE WITH THE NEWBURGH- STEWART EMPIRE ZONE (FORMERLY ECONOMIC DEVELOPMENT ZONE) REGIONALLY SIGNIFICANT PROJECT APPLICATION

WHEREAS, New York State has created the Economic Development Zone Program, now known as the Empire Zones Program, to encourage industrial and commercial development in select municipalities across the State; and

WHEREAS, the Village of Chester, as an eligible municipality in conjunction with the County of Orange, received designation of an Empire Zone and was re-designated as distinct and separate contiguous areas pursuant to Section 957 (d) of the general municipal law; and

WHEREAS, New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects; and

WHEREAS, the County of Orange and the Village of Chester intend to amend the Newburgh-Stewart Empire Zone boundaries to encourage industrial and commercial development and to allow for the designation of lands in the Village of Chester for a Regionally Significant Project; and

WHEREAS, Satin Fine Foods, Inc., located at 32 Leone Lane in the Village of Chester, New York meets the criteria of Section 957 (d) of the general municipal law as a regionally significant project by creating 50 new manufacturing jobs for inclusion within the Newburgh-Stewart Empire Zone in an area outside the distinct and separate contiguous areas; and

WHEREAS, the Village of Chester wishes to support and concur with the Empire Zone designation of section 113, block 1, and lot 2.2 and portions thereof, as a Regionally Significant Project on behalf of Satin Fine Foods, Inc.,

NOW, THEREFORE, be it

RESOLVED that the Village of Chester Village Board, in its capacity as governing body of the Village of Chester, does hereby support and concur with the County of Orange to include a manufacturing facility for Satin Fine Foods to be located at 32 Leone Lane in the Village of Chester, New York (SBL 113-1-2.2); and be it further

RESOLVED that the Village Clerk is hereby directed to deliver certified copies of this resolution to the necessary parties, agencies and/or government officials.

Introduced by: Deputy Mayor Philip Roggia

Second by: Trustee John J. Collins

On a vote 5 to 0, the resolution was adopted

Authorizing 30 day waiver for Liquor License.

A motion to accept 30 day waiver for liquor license to Christopher's Bistro located on 69 Brookside was made by Trustee John J. Reilly III second by Trustee Carole Duffy. Motion unanimously passed.

A motion to accept 30 day waiver for liquor license to Touch Base located on 9 Winkler Place was made by Trustee John J. Reilly III second by Deputy Mayor Philip Roggia. Motion unanimously passed.

11. CALENDAR:

- Records Retention day – June 18, 2010 – Village office will be closed.
- Summer Recreation Program Begins – Chester Academy (June 28-Aug 6, 2010)
- Tennis Camp Begins – community Park (June 28- Aug 20, 2010)
- Independence Day - Village office will be closed. (July 5, 2010)
- Chester Fireworks – Community Park (Saturday July 10, 2010) **rain date July 11, 2010**

12. ADJOURN: A motion to adjourn the regular business and go into executive session to discuss personnel issues was made by Trustee Mayor John J. Collins, second by Deputy Mayor Philip Roggia. Motion unanimously passed.

Respectfully submitted,



Rebecca Rivera
Village Clerk