

**Village of Chester
Board of Trustees Meeting
August 11, 2008**

The Board of Trustees of the Village of Chester met in the Village Hall meeting room on Monday, August 11, 2008. Members present: Deputy Mayor John Deshler, Trustees Jack Collins, Eugene Collins, and John Reilly. Also present Village Attorneys Henry Christensen, Highway Superintendent J. Thomas Bell, Water Commissioner Thomas Becker, Code Enforcement Officer John Orr and Village Treasurer Cathy Richards. In the audience Gordon Shehab and Nikki Mayer. Mayor Valastro and Chief Graziano were not present.

Deputy Mayor Deshler opened the meeting at 7:30 PM with the Pledge of Allegiance.

Deputy Mayor Deshler noted that the monthly auditing of monthly bills has been completed.

APPROVAL OF MINUTES: A motion to accept the minutes of the July 14, 2008 meeting was made by Trustee John Reilly III and second by Trustee Jack Collins. Motion unanimously passed.

TREASURER'S REPORT: Treasurer Cathy Richards presented and read her report as follows:

VILLAGE OF CHESTER CASH BALANCES ENDING JULY 31, 2008

| <u>Fund/Bank Account</u> | <u>Deposits</u> | <u>(Payouts)</u> | <u>Interest</u> | <u>Ending Balance</u> |
|----------------------------|-----------------|------------------|-----------------|-----------------------|
| <u>General Fund</u> | | | | |
| Key Checking | 805,766.04 | (243,920.70) | 104.04 | 567,933.76 |
| Key Savings MM | 654,020.86 | (450,000.00) | 5,421.40 | 3,282,537.13 |
| <u>Water Fund</u> | | | | |
| Provident Checking | 15,239.96 | (32,920.39) | 57.43 | 122,908.39 |
| Provident Capital MM | | (75,000.00) | 781.68 | 726,825.74 |
| Provident Capital Checking | 75,000.00 | (56,123.13) | -- | 18,876.88 |
| <u>Sewer Fund</u> | | | | |
| Key Checking | 97,064.33 | (1,791.32) | 414.13 | 521,158.95 |
| Provident Checking | -- | -- | 5.98 | 27,757.37 |

Cumulative Total Interest Earned by Fund June 1, 2008 - July 31, 2008:

| | |
|---------------|----------|
| General Fund: | 7,935.79 |
| Water Fund: | 1,517.10 |
| Sewer Fund: | 771.59 |

REAL PROPERTY TAX COLLECTION

2008-2009 Tax Warrant

| | | |
|---------------------------------------|---------------------|-------------------|
| Real Property Taxes | 2,846,793.52 | |
| Relevied Prior Year Sewer | <u>109,765.36</u> | |
| Total Warrant 2008-2009 | 2,956,558.88 | |
| Collected through 7/31/08 | 2,724,327.47 | |
| Unpaid as of 7/31/08 remaining | | 232,231.41 |
| July interest/Penalties Collected | | 1,612.42 |

2007- 2008 BUDGET

A final printout of the 2007-2008 budget is attached (expenditures and revenues for General, Water and Sewer Funds. The data is currently being reviewed by the Village's accountant for submittal to the NYS Office of the State Comptroller.

A motion to accept the Treasurer's Report was made by Trustee John Reilly III, second by Trustee Jack Collins. Motion unanimously passed.

BUILDING REPORT: Building Inspector/Code Enforcement Officer John Orr presented his report as follows:

Current projects that were inspected during the last month:

1. **Lowe's**
 - General site work continues
 - Approved a field change on the Pylon sign, now in new location and lower.
2. **Provident Bank**
 - Temporary Certificate of Occupancy issued.
 - Working through some minor issues to finalize project.
3. **Fentazi 21 Elm Street**
 - Work continues
4. **49-51 Main Street**
 - Work continues on the interior renovation.
5. **Orange County Trust**
 - Building Permit has been issued.
 - Work has started on the addition and renovation.

RESOLUTION

DIRECTING A PUBLIC HEARING ON
PROPOSED LOCAL LAW #1 of 2008
MORATORIUM ON
CONSTRUCTION/INSTALLATION
OF OUTDOOR WOOD BURNING FURNACES

Introduced by: Eugene Collins

Seconded by: Jack Collins

Date of Adoption: August 11, 2008

WHEREAS on this 11th day of August, 2008, a proposed local law was introduced, proposed Local Law #1 of 2008 Moratorium on the Construction/Installation of Outdoor Wood Burning Furnaces; 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 at 7:15 P.M., on the 8th day of September, 2008, in at the Village Hall, on the proposed Local Law entitled: Proposed Local Law #1 of 2008 Moratorium on the Construction/Installation of Outdoor Wood Burning Furnaces; 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.

On a vote of 4 to 0, the resolution was adopted.

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

1. Department Items

Manpower: None

Vehicles: 314 recently had a transmission replacement, awaiting report from Jasper Transmissions as to the cause of the failure.

2. Citizen Issues:

- Received a letter from Phyllis Battiato thanking Officers Courtenay and Tudisco for their response to her home during a recent illness.
- Received a letter from Assistant District Attorney Michael Milza commending Sgt. James Thornton for his work on the 2005 home invasion/attempted rape case that resulted in the Defendant, David Small being sentenced to 12 years in State Prison.

3. Public Safety Issues

- Traffic Details: Continuing

4. Facilities

- The replacement of the carpet in the Police Station has been completed.

5. Equipment

- None

6. Department Activity

- a. Blotters = 1868
- b. Cases = 491
- c. Arrests = 280
- d. Accidents = 83

HIGHWAY REPORT: Highway Superintendent J. Thomas Bell was present and read his report as follows:

Since our last meeting we finished up on our road side mowing on Greycourt, Lehigh, Sanford, Meadow, and Garden Streets.

We blacktopped berms and driveways on Hambletonian and Oakland Avenues and Princeton Street. This is the result of the new pavement.

The final step in the paving process is slurry sealing which was applied to Hambletonian and Oakland Avenues and Princeton Street. These village roads are now complete.

We also slurry sealed Howland, Main and Winkler Street and the Village parking Lot off of Howland Street.

The Village Highway crew has also maintained the mowing, sweeping and clean-up of our village streets.

RESOLUTION

ACCEPTANCE OF BID FOR ONE (1) REAR SPREADING
COMBINATION HEAVY DUTY DUMP BODY/SPREADER

Introduced by: John J. Reilly III

Seconded by: Jack Collins

Date of Adoption: August 11, 2008

WHEREAS the Street Department of the Village of Chester did heretofore and pursuant to legal notice duly given, advertise for bids for the furnishing of one (1) rear spreading combination heavy duty dump body/spreader, in accordance with bid specifications prepared by the Street Commission, John Thomas Bell ("Street Commissioner"); and

WHEREAS due legal notice of such advertisement for bids was duly published as required by law; and

WHEREAS all bids so received, in response to the Notice to Bidders, have been reviewed by the Street Commissioner; and

WHEREAS, upon such review, it was recommended that the bid of Amthor Welding Service in the amount of \$19,349.00 be accepted as the lowest responsible bid substantially in accordance with the lowest responsible bid found to be equivalent in character, materials, warranties and value to the specifications originally furnished by the Street Department of the Village of Chester.

NOW, THEREFORE, be it hereby

RESOLVED that the Village of Chester does hereby accept the bid of Amthor Welding Service in the amount of \$19,349.00 for the furnishing of (1) rear spreading combination heavy duty dump body/spreader; and be it further

RESOLVED that the Street Commissioner notify the successful bidder of this award and the appropriate Village officers are authorized to sign a purchase order therefor.

On a vote of 4 to 0, the resolution was adopted.

WATER REPORT: Water Commissioner Thomas Becker was present and read as follows:

- 1- Daily Filtration Plant and Well #12 Routine.
- 2- Lawns at all water facilities have been mowed each week.
- 3- The new 10 inch water main from Rite Aid to Whispering Hills has been completed.
- 4- We did an under ground boring under Laroe Road for the Town of Chester.
- 5- Collected all unpaid water bills.
- 6- Met with Frank Nussbaum and Bryan Waisner, PE to go over information on our water system for BT Properties.
- 7 - We have begun working on the water main replacement on Old NY Rt 17M.
- 8- A one foot hydrant riser was installed on a new hydrant on Marion Street
- 9- We pressure tested the water main loop at the new Lowe's and found a leak in front of the store that they have to repair.
- 10- For our out of corp. water customers I am requesting that we impose a \$50.00 minimum for usage of 10,000 gallons. This amount will be billed to any out of corp. customer that wants to maintain their rights to Village water in the event they are not using any water.

RESOLVED that Out of Corp Customers that are billed twice a year and quarterly will be charged a \$50.00 fee to maintain their rights to use village water.

A motion to accept was made by Trustee Jack Collins, second by Trustee Eugene Collins. Motion unanimously passed.

PARKS & RECREATION REPORT: Deputy Mayor John Deshler was present and read his report as follows:

Supervisor Neuhaus Report – Supervisor Neuhaus reminded the Commission that the Town is starting their budget for 2009 and to get the Park & Rec budget in as soon as possible. He reminded the commission that the coming year will be a tough budget and requested that all items be looked at very closely. He also stated they municipal water and sewer was being run into the Commons for future hook up. He further reported that the brush will be cleared from the Oak Street Park to give the Police a better view of the Park while on Patrol.

End of Summer Concert to be held on September 7th the entertainment will include Crazy Tyrone, The Hudson Blues Band and Second Nature Band.

Kite Festival The Festival will be held on September 20th at the Broadview Property. All interested people are invited to attend.

Chester Open Tennis Tournament The Tournament will be held on August 7, 8, 9, 10 at the tennis courts in Community Park. 125 people have signed up.

Theater Program It was reported the Theater Program was very successful. Although the program was not full it was a success and will be considered for next year. Members of the Club will be putting on a show on August 15th at the Lycian Theater. Tickets are \$10.00.

Car Show A car show sponsored by the Trout Brook Engine & Hose Co will be held at Chester Commons on August 16th.

Bowling Program It was reported that John Salerno of Colonial Lanes in Shop Rite Plaza approached the commission about starting a bowling program. It will be further looked into as more information is needed.

Summer Recreation Program It was reported that the program was very successful again this year and that it was coming to a close very shortly.

RESOLUTION

ESCROW FUND FOR BT HOLDINGS LLC PROPOSED ACTION/PROJECT

Introduced by: Jack Collins

Seconded by: John J. Reilly III

Date of Adoption: August 11, 2008

WHEREAS the Mayor and the Trustees of the Village of Chester (the "Village Board"), as lead agency under the State Environmental Quality Review Act ("SEQRA") for the proposed project of BT Holdings, LLC (the "Petitioner"), involving the annexation of 60.6 acres of land from the Town of Chester to the Village of Chester, the rezoning of said land to the RM zone, approvals for the construction of a 438-unit residential development, variances as may be necessary, and connections to the Village's water and sewer service (collectively the "Project"), has incurred and will continue to incur expenses in connection with the review of the Petitioner's Draft and Final Environmental Impact Statement ("EIS"), including the scoping thereof; and

WHEREAS pursuant to 6 NYCRR 617.13, the lead agency may recover its actual costs for reviewing the Petitioner's draft and/or final EIS; and

WHEREAS the Petitioner and the Village Attorney have agreed that the best way for the Petitioner to pay the Village's costs for review is to establish an escrow arrangement.

NOW, THEREFORE, be it hereby

RESOLVED that the Village Attorney is hereby authorized to draft an escrow agreement to be signed and executed by and between the Village and the Petitioner; and be it further

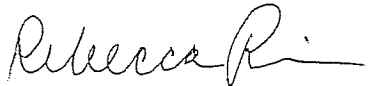
RESOLVED that the Village shall require an initial deposit pursuant to such escrow agreement of \$25,000; and be it further

RESOLVED that the Mayor be and he is hereby authorized to execute the aforesaid agreement on behalf of the Village of Chester for the Village's review of the Project.

On a vote of 4 to 0, the resolution was adopted.

ADJOURN: A motion to adjourn the business meeting was made by Trustee John Collins, second by Deputy Mayor John Deshler. Meeting was adjourned.

Respectfully submitted,



Rebecca Rivera
Village Clerk