

Village of Chester
October 6, 2008

The Board of Trustees of the Village of Chester met in the Village Hall meeting room on Monday, October 6, 2008 Members present: Mayor Valastro; Deputy Mayor Deshler, Trustees Jack Collins, Eugene Collins, and John Reilly III.

The Mayor opened the Public Hearing at 7:15 p.m. The Notice which appeared in the Times Herald Record as follows:

VILLAGE OF CHESTER BOARD OF TRUSTEES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, on October 6, 2008, at 7:15 p.m. at the Village Office, 47 Main Street in the Village of Chester, the Board of Trustees of the Village of Chester, Orange County, New York will conduct a public hearing regarding the proposed adoption of a local law, Proposed Local Law No. 2 of 2008, granting a partial real property tax exemption to cold war veterans, at which time and place all interested persons may appear and will be given an opportunity to be heard either in support of or in opposition to the proposed local law. The full text of the Proposed Local Law No. 2 of 2008, Real Property Tax Exemption for Cold War Veterans, is filed with and is in the custody of the Village Clerk at 47 Main Street, Chester, New York, is posted at said office, and may be examined by any interested person during regular business hours at the above address up to and including 4:30 p.m., on October 6, 2008. In addition, Proposed Local Law No. 2 of 2008 shall be posted on The Village's website.

BY ORDER OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF CHESTER, NEW YORK

Rebecca Rivera
Village Clerk

Dated: September 9, 2008

In the audience Gordon Shehab and Nikki Mayer, Brian Leetjens, Edward Piatt and Susan Clever of the The Chronicle.

Mayor Valastro asked if anyone in the audience has any comments. No one in the audience had any comments in regards to the Cold War Veteran exemption. There being no further comments from those in the audience, the Public Hearing was closed on a motion made by Deputy Mayor Deshler and second by Trustee Jack Collins.

Respectfully submitted,



Rebecca Rivera Village Clerk

**Village of Chester
Board of Trustees Meeting
OCT 6, 2008**

The Board of Trustees of the Village of Chester met in the Village Hall meeting room on Monday, Oct. 6, 2008. Members present: Mayor Philip Valastro, Deputy Mayor John Deshler, Trustees Jack Collins, Eugene Collins, and John Reilly. Also present Village Attorney Henry Christensen, Highway Superintendent Tom Bell, Water Commissioner Thomas Becker, and Village Treasurer Cathy Richards. In the audience Gordon Shehab and Nikki Mayer, Brian Leetjens, Edward Piatt and Susan Clever of the Chronicle. Code Enforcement Officer John Orr was not present.

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

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

APPROVAL OF MINUTES: A motion to accept the minutes of the Sept 8, 2008 meeting was made by Trustee Jack Collins and second by Deputy Mayor John Deshler. Motion unanimously passed.

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

VILLAGE OF CHESTER CASH BALANCES ENDING SEPT 30, 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	311,009.88	(279,515.82)	60.29	90,319.62
Key Savings MM	27,950.32	250,000.00	5,815.72	6,460,074.68
<u>Water Fund</u>				
Provident Checking	15,802.65	(46,217.80)	10.89	36,880.14
Provident Capital MM		--	802.41	727,628.15
Provident Capital Checking	--	--	--	18,876.88
<u>Sewer Fund</u>				
Key Checking	17,591.86	(375.00)	101.40	135,742.96
Provident Checking	--	--	6.17	27,763.54

Cumulative Total Interest Earned by Fund June 1, 2008 – September 30, 2008:

General Fund:	19,680.70
Water Fund:	3,168.78
Sewer Fund:	1,011.66

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 9/20/2008	2,800,539.53	
Unpaid as of 9/30/2008 remaining		156,019.35
July & August interest/Penalties Collected		6,434.57

The Village will continue to collect real property taxes through October 31, 2008.

2008-2009 Budget Expenditure Report

A current printout of budget expenditures for General, Water and Sewer funds is attached for your review. This report reflects expenditures from 6/1/2008 through 10/6/2008.

A motion to accept the Treasurer's Report was made by Trustee Jack Collins and second by Deputy Mayor Deshler. 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:

Current projects that were inspected during the last month:

Lowe's:

- 1- General site work continues.
- 2- November opening planned.

Provident Bank

- 1- Temporary Certificate of Occupancy issued.
- 2- Working through some minor issues to finalize project.

Fentazi 21 Elm Street

- 1- Work continues.

49-51 Main Street

- 1- Work continues on the interior renovation.

Orange County Trust

- 1- Site work continues.

Chester Mall Movie

- 1-Issued Permit for renovation of Movie Theatre.

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

1. Department Items:

Manpower: None

Vehicles: 313, 1991 Crime Scene van transmission failed (only has 1st gear), waiting for an evaluation from Johnson's Auto but seems unlikely it can be repaired. The cost of repair for a replacement exceeds the book value of the vehicle (\$1,025 Blue Book).

2. Citizen Issues:

Received a letter from Lois and Jean Krieger thanking the Police Department for securing their property during the 2008 Fireworks Event in July.

3. Public Safety Issues:

· Traffic Details: Continuing.

4. Facilities: None

5. Equipment: None

6. Department Activity (YTD):

- a. Blotters = 2336
- b. Cases = 601
- c. Arrests = 337 (Previous department record 324 arrests in 2004)
- d. Accidents = 96

Nancy Quinones a resident of the village of Chester made mention that she observed tractor trailer having difficulties making a left hand turn on Summerville Way. Chief Graziano state that he will contact Mike Stein of DOT to look into this situation.

Chief of Police made mention of restricting and/or eliminating parking on Carpenter Road on the Butler Terrace side.

A motion to have a public hearing on November 10, 2008 to reduce speed to 25 mph on Carpenter road was made by Trustee Jack Collins and second by Trustee John J. Reilly III. Motion unanimously passed.

A motion to add speed reduction on Butler Terrace to the public hearing dated on November 10, 2008 was made by Deputy Mayor John Deshler and second by Trustee John J. Reilly III.

HIGHWAY REPORT: Highway Superintendent J. Thomas Bell was not present Mayor Valastro read report as follows:

- Since our last meeting we finished up on our road mowing for the season. We continue our weekly mowing and pickup of grass and brush. Once the leaves start falling we will start our yearly bulk leaf pick-up.
- This past month we replaced two four foot sections of sewer manholes. One on Elm the other on Maple. Both are now complete and blacktopped in. We also fixed two catch basins, one on Carpenter, the other on June St.
- Blacktop was put down on Elm St., Main 81, Meadow Av., N. Hudson, Maple A V. and the hole on Elizabeth was dug out and re-blacktopped.
- We have dug out the last section of sidewalk in front of the firehouse and are ready to pour that section on Wednesday of this week.
- The weeds on the curbs in Chester Acres, Brookside, Maple, Vista, Valley Ct, have been weed-wacked and swept up.

High Superintendent made mention that as of November 1st thru April 15th snow removal ordinance will be taking effect.

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

- 1- Daily Filtration Plant and Well #12 Routine.
- 2- Mark Edsall has informed me that we have been granted a verbal approval on our filtration plant upgrade from the Health Dept.
- 3- Lawns at all water facilities have been mowed each week.
- 4- The water main on old N.Y. RT 17M is almost completed.
- 5- A One foot riser was installed on a fire hydrant on Leona Ln.
- 6- At the new Lowe's the pressure test has passed, chlorination has been done on the loop around the building and the line down to West St. The second Round of bacteria samples were taken to the Lab today.
- 7 – TOC and Alkalinity samples have been taken to the Lab.
- 8- Over the past weekend power outages at the filtration plant caused multiple problems with equipment.

The Mayor made mention of the bid for Village Property located in the Town of Monroe Village attorney Henry Christensen suggest that the discussion be tabled and discussed in executive session.

A motion to table and discuss bid in executive session made by Deputy Mayor John Deshler and second by Trustee John J. Reilly III.

Water Commission Tom Becker asked if the Mayor and the Board would allow him to get a special license that will enable him to assist the Town of Chester Water department in the event of emergency situations and until they can hire someone with a water license.

A motion was made by Deputy Mayor John Deshler and second by Trustee Jack Collins to allow Water Commissioner Tom Becker to obtain a special license to enable him to assist the Town of Chester Water Dept. as long as there is a municipal agreement is established.

PARKS & RECREATION REPORT: Deputy Mayor John Deshler did not attend Park & Recreation meeting and therefore no report submitted.

OTHER BUSINESS –

1. Adoption of Cold War Veteran Exemption

**ADOPTION OF
PROPOSED LOCAL LAW #2 of 2008
REAL PROPERTY TAX EXEMPTION
FOR COLD WAR VETERANS
AND CLASSIFICATION UNDER SEQRA**

Introduced by: Deputy Mayor Deshler

Seconded by: Trustee Jack Collins

Date of Adoption: October 6, 2008

WHEREAS on 8th day of September, 2008, a proposed local law was introduced, proposed Local Law #2 of 2008 Real Property Tax Exemption For Cold War Veterans; and

WHEREAS a public hearing was held and closed on October 6, 2008; and

WHEREAS, the adoption of the above referenced local law is classified as an "action" under the New York State Environmental Quality Review Act and the regulations promulgated thereunder ("SERQA").

NOW, THEREFORE, be it hereby

RESOLVED that the Village Board hereby determines that the Proposed Action is a "Type II" Action under SEQRA, specifically 6 NYCRR 617.5 (20) & (27), and therefore no further review under SEQRA is required; and be it further

RESOLVED that the Village Board hereby adopts proposed Local Law #2 of 2008, entitled Real Property Tax Exemption For Cold War Veterans, which upon adoption, becomes Local Law NO.2 of 2008; and be it further

RESOLVED that the Village Clerk is hereby authorized to take all actions necessary to effectuate the same.

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

A motion to accept the appointment of Part time clerk Betty-Jo Bono to Full Time Deputy Clerk was made by Trustee Jack Collins and second by Trustee Eugene Collins

A motion to waive a 30 day waiver for a liquor License for the Castle (Owner Brian Leetjens) was made by Trustee John J. Reilly III and second by Deputy Mayor John Deshler.

Mayor Valastro held a brief discussion on Senior Citizen Exemption and then read the resolution as follows:

**AMENDMENT OF
RPTL SECTION 467 EXEMPTION FOR REAL
PROPERTY OWNED BY PERSONS 65 OR OVER**

Introduced by: Trustee Jack Collins

Seconded by: Trustee Eugene Collins

Date of Adoption: October 6th 2008

WHEREAS by Resolution, dated November 14, 1995, the Village Board passed a resolution granting partial exemptions from Village real property taxes for residential property owned by persons 65 years of age or older, and

WHEREAS, the Village Board desires to increase the maximum annual income levels at which persons sixty-five years of age or older and who otherwise qualify under Section 467 of the Real Property Tax Law may qualify for a real property tax exemption,

NOW, THEREFORE, be it hereby

RESOLVED, that the Mayor and Trustees of the Village of Chester, pursuant to their authority under Section 467 of the Real property Tax Law, hereby establishes, effective January 1, 2009, \$20,500 as the maximum annual income at which persons sixty-five (65) years of age or over, and who otherwise qualify under Section 467 of the Real property Tax Law, may qualify for a real property tax exemption of 50% of the assessed value of their real property; and it is

FURTHER RESOLVED, effective January 1, 2009, that the percentage of assessed valuation which is exempt from taxation for those persons qualifying for such exemption under Section 467 of the Real Property Tax Law, and whose income is greater than \$20,500 will be determined according to the following scale:

<u>Annual Income</u>		<u>% of Exemption</u>
More than 20,500	But less than \$21,500	45
\$21,500 or more	But less than \$22,500	40
\$22,500 or more	But less than \$23,500	35
\$23,500 or more	But less than \$24,400	30
\$24,400 or more	But less than \$25,300	25
\$25,300 or more	But less than \$26,200	20
\$26,200 or more	But less than \$27,100	15
\$27,100 or more	But less than \$28,000	10
\$28,000 or more	But less than \$28,900	5

RESOLVED that the Village Clerk is hereby authorized to take all actions necessary to effectuate the same.

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

**DIRECTING A PUBLIC HEARING ON
PROPOSED LOCAL LAW #3 of 2008
MEMBERS AND APPOINTMENT OF ALTERNATES
TO THE PLANNING BOARD OF THE VILLAGE OF CHESTER**

Introduced by: Deputy Mayor John Deshler

Seconded by: Trustee Jack Collins

Date of Adoption: October 6, 2008

WHEREAS on this 6th day of October, 2008, a proposed local law was introduced, proposed Local Law #3 of 2008 Members and Appointment of Alternatives to the Planning Board of the Village of Chester; 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 10th day of November, 2008, in at the Village Hall, on the proposed Local Law entitled: Proposed Local Law #3 of 2008 Members and Appointment of Alternatives to the Planning Board of the Village of Chester; 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 5 to 0, the resolution was adopted.

**DIRECTING A PUBLIC HEARING ON
PROPOSED LOCAL LAW #4 of 2008
MEMBERS AND APPOINTMENT OF ALTERNATES
TO THE ZONING BOARD OF APPEALS OF THE VILLAGE OF CHESTER**

Introduced by: Deputy Mayor John Deshler

Seconded by: Trustee Jack Collins

Date of Adoption: October 6, 2008

WHEREAS on this 6th day of October, 2008, a proposed local law was introduced, proposed Local Law #3 of 2008 Members and Appointment of Alternatives to the Planning Board of the Village of Chester; 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 10th day of November, 2008, in at the Village Hall, on the proposed Local Law entitled: Proposed Local Law #4 of 2008 Members and Appointment of Alternatives to the Zoning Board of Appeals of the Village of Chester; 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 5 to 0, the resolution was adopted.

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Rebecca Rivera". The signature is written in black ink and is positioned above the printed name.

Rebecca Rivera
Village Clerk