6:45 P.M. – Audit of Monthly Bills
7:15 P.M. – Public Hearing LL# 4 - 2015
7:30 P.M. – REGULAR MEETING

Public Hearing:

Local Law – Water Administration Amendments

Please Take Notice that the Village Board of the Village of Harriman will hold a public hearing applicable to a proposed Local Law entitled "Water Administration Amendments, Proposed Local Law #4 of 2015: at the Harriman Village Hall located at 1 Church Street, Harriman, New York, on September 8, 2015, 16 715pm.

This local law, if adopted, will provide for a more orderly organization of the Village administration of accounts and water administration and will eliminate inconsistencies and ambiguities within the code. The proposed local law contains modification to Section 74-5, 74-7, 136-4, 7 (c), 25, 26 and 27.

All persons interested in the subject of the proposed local law will be heard by the Village Board at the above time and place. Persons may appear in person or by agent. All written communications addressed to the Board in connection with the proposed local law must be received by the Village Board at or prior to the public hearing.

BY ORDER OF THE VILLAGE BOARD
Village of Harriman
Jane Leake, Village Clerk

Dated: August 25, 2015

Mayor asked did we receive any correspondence?

Ms. Leake responded no.

The Building Inspector was the only one in attendance.

Mayor stated it has nothing to due to raising any fees or changing any fees. We will give it a couple of minutes to see if anyone comes in.

There being no public comments a
MOTION was made by Trustee Shuart to close the Public Hearing.
SECOND was made by Trustee Chichester.

AYE:	Trustee Shuart	**NAY:**	
	Trustee Farrell		NONE
	Trustee Chichester		

Regular Meeting:

ROLL CALL
Mayor Stephen Welle, Deputy Mayor Ed Shuart, Jr., Trustee Colleen Farrell, Trustee G. Bruce Chichester, Village Clerk Jane Leake , Police Chief Dan Henderson, Building Inspector Ronald Walker, & DPW Superintendent John Mulligan.

ABSENT Trustee Frank Borowski

The Mayor asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES
Mayor Welle asked if there were any changes or additions to the minutes 8/11/15 Board Meeting. There being none, the minutes were accepted as written.

MOTION was made by Trustee Shuart to accept the Village Board Minutes of 8/11/2015.
SECOND was made by Trustee Farrell.

AYE:	Trustee Shuart	**NAY:**
	Trustee Farrell	NONE
	Trustee Chichester	

Thank you to the Deputy Clerk

INFORMATIONAL ITEMS:

- Bills were audited:

2015/2016	
$ 111,285.90	General Fund
$ 45,443.83	Water Fund
$ 5,526.74	Trust & Agency

- Upcoming Meeting Dates:
  - ZONING BOARD OF APPEALS MEETING: October 7, 2015
  - PLANNING BOARD MEETING: September 21, 2015 & October 19, 2015
  - VILLAGE BOARD MEETING: October 13, 2015

- The Village Board received a Notice of Violation on the North Main Street Well due to the radiological contaminates. It is not something that was unexpected. It is a running average over the last 12 months. The letter went out to everyone last week. The letter has been posted on the Village's Website and in the letter it states that the pipeline extension from the North Main Street Well to the Mary Harriman Well site has finally been approved by the Department of Health and we anticipate getting it going in the next couple of weeks with construction of that. Again, the water is safe to drink as has been discussed in the past.

- Litigation Meetings with the County are on going

- Brush Policy – Most Monday mornings brush will be picked up. Not tied, at the curb, not encroaching on the sidewalk or road. We ask that you put the butt end out toward the Street. There will be no bagged or stumps picked up.

- We are still on Water Restriction. Outside water usage is restricted to the hours of 5am – 7am and 7pm – 9pm. We are asking everyone to do their best to conserve water.

- KJ Annexation discussions and meetings with the County on their report are on-going.

- Nepera demolition has been on going. There have been a few issues with it, which have been addressed by the Village and the DEC.

- We met last week with NYS Assembly Speaker Heastie regarding the Exit 131 project on 17 and the Annexation. He did a lot of listening to a group of us. We will see where he goes with it. He realizes the Exit 131 problem needs to be solved and his goal is to find money, but he did not make any promises.

- Attended the Orange County Association of Towns, Villages and Cities Meeting in Newburgh and the Director of the NYS Buildings Standards and Codes was present and he gave an interesting talk on the different things that are going on within the State.

- A couple of weeks ago we had a large tree fall on the Orchard Hill Booster Station. It was a tree from a neighboring property. Fortunately the only thing that really got damage was the gutter and the fence. The insurance company was notified and they are working on finalizing the numbers. We did have the fence replaced immediately due to security reasons.

- We had a water main break on Route 17M across from Crossroads last Tuesday. Notified the Board and immediately declared it an emergency as we are on water restrictions and it being on Route 17M, in speaking with the DPW Superintendent it was determined that the best course of action was to bring in a contractor to make sure we had enough people on the job and it was done safely to avoid anyone getting injured. It was repaired that afternoon.

- We received proposed 2016 Budget from the Orange County Sewer District – as usual there is next to no information on it.

- The $300,000 Ban which was advertised for. The sale date is scheduled to be on September 10th in accordance with the adopted Bond Resolution. The bank will be approved by Muni-stat Services Incorporated for that Ban.

- We received a letter from the Chairman of the Hudson Valley Water Works thanking the DPW Superintendent and his employees: Jürgen Breitfeld, Ken Gopel, Ron Krzywicki, Dan Hedges and Chris Wendt for all their assistance that they provided for the Annual Conference, which was held at the Pavilion in Mary Harriman Park.
  Trustees stated – Thank you, John and the guys.

DEPARTMENT REPORTS:

Treasurer Report – see attached report
DPW – see attached report
Police Department – see attached report.
Water Account Adjustments – see attached report
Building Department – see attached report

$	151.00	Building Permits
$	75.00	Certificate of Compliance
$	75.00	Certificate of Occupancy
$	100.00	Demolition

Mayor stated Ron, regarding your report here for Nepera, ELT Harriman – twice I sent you down there to close the project down due to the problems with the dust and there is no indication on the report.

Mr. Walker replied I must have missed writing that down.

Mayor responded okay and continued stating we did have any issue and they were closed down twice and the DEC has been and continues to be involved. Does anyone have any questions on the department reports?

LOCAL LAW #4 – 2015

The Public Hearing was held this evening there were no public comments and no letters received so we will open it up for the Board for a motion.

MOTION was made by Trustee Shuart to adopt Local Law #4 - 2015.
SECOND was made by Trustee Chichester.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

SPECIAL PROSECUTOR PROPOSAL

Leonard Kessler of Kessler Law Offices is doing the prosecution on the Vehicle and Traffic Tickets and due to Ostrer & Associates having some conflicts Mr. Kessler has offered to prosecute Code Violations being he is here anyway at his normal rate of $250.00 hourly.

MOTION was made by Trustee Chichester to approve as Kessler Law Offices to do prosecutions at the $250.00 hourly rate.
SECOND was made by Trustee Shuart.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

WATER MAIN PROJECT BID

They are going to discuss with the Board – it needs to go out to bid for materials with a bid opening date of September 15, 2015 at 10am in Village Hall.

MOTION was made by Trustee Chichester to approve the Water main Project Bid.
SECOND was made by Trustee Farrell.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

Along with that and to keep the process moving we would need to set a Special Board Meeting for that evening in order to award the bid (Tuesday, September 15, 2015 at 7pm) on the materials for the River Road Project as it is being called and anything else that would come before the Board.

MOTION was made by Trustee Chichester to approve the scheduling of the Special Board Meeting on Tuesday, September 15, 2015 at 7pm for the River Road Project Bid.
SECOND was made by Trustee Shuart.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

RESOLUTION #11 - 2015 INTER-MUNICIPAL COOPERATION

WHEREAS, the Village Board of the Village of Harriman recognizes that the well-being of its residents is directly related to the development and utilization of natural resources undertaken in other adjoining, nearby and regional municipalities; and

WHEREAS, dialogue and joint planning with other municipalities can assist in preserving the well-being of the Village of Harriman residents by informing and influencing the actions of other municipalities; and

WHEREAS, joining and cooperating with other similarly situated municipalities in voicing concerns and urging positions can serve to enhance the Village's ability to express its position on development issues and obtain its goals; and

WHEREAS, the Village of Harriman has environmental and regional planning and infrastructure concerns pertaining to certain annexation, water and sewer development proposals that are currently under consideration of the Town of Monroe and the Village of Kiryas Joel; and

WHEREAS, the Village of Harriman's environmental, regional planning and infrastructure concerns are heightened by virtue of the Village of Harriman being the host community for the Harriman Wastewater Treatment Plant, which serves Orange County Sewer District No. 1 and adjacent municipalities including portions of the Town of Monroe and the Village of Kiryas Joel; and

WHEREAS, it appears that the Village's concerns are shared, wholly or in part by other local municipalities, such as the Village of Cornwall-On-Hudson, the Town of Woodbury, the Village of Woodbury, the Town of Blooming Grove, the Town of Cornwall, the Village of Monroe and the Village of South Blooming Grove;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby authorizes the Village Mayor to meet with the elected officials of such like-minded municipalities to discuss possible inter-municipal cooperation in regard to reviewing, analyzing and voicing concerns over the environmental, regional planning and infrastructure issues raised by the annexation, water and sewer development proposals that are currently under consideration in the Town of Monroe and the Village of Kiryas Joel; and

2. That, subject to approval by the Village Board, proposals for joint municipal review, study and commentary on the said projects should be pursued.

MOTION was made by Trustee Shuart to approve Resolution #11- 2015 Inter-municipal Cooperation.
SECOND was made by Trustee Farrell.
AYE: Trustee Chichester **NAY**: -0-
Trustee Farrell
Trustee Shuart

RESOLUTION #12 – 2015 PILGRIM PIPELINE

RESOLUTION of the VILLAGE OF HARRIMAN OPPOSING THE PILGRIM PIPELINE

WHEREAS, Pilgrim Pipeline Company ("Pilgrim") is proposing to build a new bi-directional pipeline ("Pipeline") through the Village of Harriman that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey; and

WHEREAS, the Pipeline will carry oil extracted from North Dakota's Bakken shale through the process of hydraulic fracturing, or fracking, an extreme method of oil and gas extraction that has been found to contaminate clean water resources, depletes and despoils clean water resources, creates toxic air emissions and radioactive waste and contributes to the climate change crisis by releasing large quantities of methane gas into the atmosphere; and

WHEREAS, in February the Wall Street Journal compared oil from 86 locations around the world and found Bakken crude oil to be the most volatile. Bringing this fuel into our community endangers our families, property, and environment; and

WHEREAS, the Village is concerned that bringing this fuel into and through our community endangers our surface and subsurface water sources, rivers and streams and our environment as a whole; and

WHEREAS, the Pilgrim Pipeline raises significant safety concerns for the Village of Harriman, as well as potential harm to municipal and county infrastructure, and likely negative impact upon future development in the community; and

WHEREAS, the U.S. Department of Transportation's Pipeline and Hazardous Safety Materials Administration (PHMSA) issued a safety alert on January 2, 2014, to the general public, emergency first responders, and shippers and carriers regarding the particular flammability of Bakken Crude oil; and

WHEREAS, the Village Board is concerned about the hazards the Pipeline project may create due to the nature and volume of the highly flammable oil flowing through the Pipeline, and its proposed route,

which crosses near residential neighborhoods. These communities will be in the "impact radius" should an explosion and or spill occur; and

WHEREAS, any rupture or compromise of the pipeline, even without an explosion or fire, could, in the opinion of the Village Board, require extraordinary cleanup efforts, force residents from their homes, and place a large number of residents in close proximity to hazardous materials; and

WHEREAS, according to Public Employees for Environmental Responsibility, the Pipeline and Hazardous Materials Administration (PHMSA) only has 135 inspectors to oversee 2.6 million miles of pipeline, and only one fifth of that pipeline system has been inspected by PHMSA or its state partners since 2006; and

WHEREAS, because the potential for a pipeline explosion could harm hundreds of people, we express grave concerns about the project negatively affecting the health, safety, and welfare of our citizens; and

WHEREAS, the Village Board's responsibility is to provide a safe environment for its residents, and this Pipeline raises serious safety concerns as described above; and

WHEREAS, all Village residents and many residents of the Towns of Monroe and Woodbury depend on Village of Harriman ground water for water supply, the integrity and safety of which may be jeopardized by the Pipeline Project; and

WHEREAS, the wise stewardship of our natural resources requires protection of area water supplies and other natural resources for generations to come; and

WHEREAS, protection of the Village water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact.

NOW THEREFORE, be it resolved that the Village Board of the Village of Harriman:

1. Opposes the proposed Pilgrim Pipeline.

2. Calls upon the New York State Thruway Authority to reject the use of its right-of-way for the purpose of transporting oil or gas by pipeline, and further calls upon the New York State Department of Transportation (DOT) to deny an exception to its Accommodation Plan for said purpose; and;

3. Urges Governor Cuomo and the State Legislature to oppose the construction of the Pilgrim Pipeline in New York State.

4. Authorizes and directs the municipal clerk to forward copies of this resolution to the following persons and entities:

a) NY Governor Andrew Cuomo
b) State Senator William Larkin
c) State Senator John Bonacic
d) State Assemblyman James Skoufis
e) State Assemblyman Karl Brabenec
f) Food and Water Watch, NY State office, 68 Jay Street, Suite 713, Brooklyn, NY 11201
g) The Sierra Club – Atlantic Chapter, 353 Hamilton Street, Albany, NY 12210
h) All Orange County Municipal Village Boards and Town Boards
i) Orange County Executive Steven Neuhaus
j) Orange County Legislature

ATTEST:

_____, Clerk

_____, Mayor

MOTION was made by Trustee Shuart to approve Resolution #12 – 2015 Opposing the Pilgrim Pipeline.
SECOND was made by Trustee Farrell.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

ELECTRIC INSPECTORS

A) Switch On Electric - it appears that they have everything in order
B) Northeast Electrical Inspections, LLC – have also submitted a request
Due to the fact that we cannot limit competition, my recommendation would be to approve these as long as they have everything in order with their insurance and licenses to go on the Electrical Inspectors List for the Village of Harriman.

MOTION was made by Trustee Chichester to approve the adding Switch On Electric and Northeast Electrical Inspections, LLC to the Electrical Inspectors List for the Village of Harriman
SECOND was made by Trustee Shuart
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

Trustee Shuart commented that only that this Northeast Electrical specializes in solar which might be a good thing, which is an up and coming thing.

PARK REQUEST
Laramore – Sunday, September 27 from 12pm – 5pm.

MOTION was made by Trustee Shuart to approve the Laramore Park Request.
SECOND was made by Trustee Chichester.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

DRAFT OMNIBUS LOCAL LAW
We did hear back from the Planning Board in which they had comments regarding the Donation Bins and Dumpster - that we have something in place for both. I will work with Ben's Office over the next month so hopefully we will have it ready come the October meeting to set a Public Hearing.

WATER AGREEMENTS
We have two on the list. The second one Melody Lane Properties is not ready as of yet. Before you this evening we have the water agreement with Cabela's Wholesale and the standard water agreement which outlines their capital contribution which is $247,100.00 and that is in addition to all other fees that are in the Code. So that would be a one-time capital contribution by them. We also have the emergency access easement as this would be a service line going in but we still need to have access in the event of an emergency and they or anybody else in the future following them when not taking care of an issue we will then have the right to go take care of it and bill them.

MOTION was made by Trustee Chichester authorizing the Water Usage Agreement with Cabela's and the Emergency Access Easement with Cabela's.
SECOND was made by Trustee Shuart.
AYE: Trustee Farrell **NAY:** -0
Trustee Shuart
Trustee Chichester

Mayor stated thank you David for all your work on this.

RESOLUTION #13 - JUDICIAL GRANT APPROVAL
Judge Drian is looking for a JCAP Grant and in order for them to accept it the Village Board has to approve the authorization for him to seek the grant which requires the Mayor's signature.

Be it resolved that the Honorable Allan Y Drian is authorized, on behalf of the Harriman Village Court, Orange County, to apply for a JCAP Grant.

Be it further resolved that he is authorized to request the maximum amount available.

MOTION was made by Trustee Shuart to approve Resolution #13 – 2015 Judicial Grant (JCAP).
SECOND was made by Trustee Farrell.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

Trustee Shuart replied I am glad he is going for this grant.

MOTION was made by Trustee Shuart to approve Mayor to sign the Judicial (JCAP) Grant.
SECOND was made by Trustee Chichester.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

ATTORNEY REPORT

Mayor Welle stated that Ben sent down this restoration agreement with Superior Pack Group. We met with the Villages Attorney, Ben Ostrer the other day and representatives of Superior Pack Group. The Planning Board has requested that they put in a system to clean up the storm-water prior to discharge. The concern is they are not the owner of the building therefore we have to ensure the maintenance is done on this. They are in the process of purchasing the building, but in the meantime the tenant is willing to put up a $3,000.00 cash bond to insure that they do the maintenance on this system which they install. It is a sand filter for surface run off. It is also in the agreement that if for some reason they leave the premises – they vacate the building they are responsible for removing this and therefore the owner will not have the use of it. The owner has not agreed to sign the maintenance agreement which would make him liable as the property owner, but he did okay them to put it in the ground. Hopefully, in a month or two none of this would matter because the tenant would own the building and then we will have an agreement directly with him for the maintenance. We will no longer have to have a bond because then if it is not done it can be relevied on to his taxes if the Village has to go in and do something. This is something our Planning Board had requested quite a while ago and they have been trying to work through this.

MOTION was made by Trustee Shuart to approve the agreement between the Village of Harriman and Contract Packaging Services doing business as Superior Pack Group.
SECOND was made by Trustee Chichester.
AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart

Trustee Shuart asked Ben went through everything?

Mayor replied yes.

Trustee Chichester replied it is certainly in their best interest to have.

Mayor stated it is in our best interest for them to have it to.

Trustee Chichester replied I understand that.

PUBLIC COMMENT

There being none.

MOTION was made by Chichester to enter into Executive Session for a Personnel Item and a Litigation Issue.
SECOND was made by Trustee Farrell.
ALL IN FAVOR.

At this time the Village Clerk was excused from the meeting. The following was given by Mayor Welle:

Executive Session with David Darwin, Esq. and Building Inspector Ronald Walker

MOTION was made by Farrell to adjourn Executive Session and return to Regular Session.
SECOND was made by Trustee Shuart.
ALL IN FAVOR.

MOTION was made by Trustee Shuart to adopt Resolution # 14 – 2015 regarding Litigation on Annexation.
SECOND was made by Trustee Chichester.
ALL IN FAVOR.

A **MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Farrell to adjourn the meeting at 9:30 p.m.
ALL IN FAVOR.

Respectfully submitted by: Jane Leake
Jane Leake, Village Clerk