

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**September 23, 2014**

**7:00 P.M. – REGULAR MEETING**

**ROLL CALL:**

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Christine Sacher, Part -Time Clerk Barbara Singer, and Village Attorney Marissa Tuohy of Ostrer & Associates.

Absent and excused is Trustee Lawrence Mosca.

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 of the September 9, 2014 Board Meeting. There being none, the minutes were accepted as written.

**MOTION** was made by Trustee Shuart to accept the September 9, 2014 minutes as written.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Sacher  
Trustee Shuart

**INFORMATIONAL ITEMS:**

- Upcoming meeting dates:
  - Zoning Board of Appeals Meeting – October 1, 2014
  - Village Board Meeting – October 14, 2014
  - Planning Board Meeting – October 20, 2014
- Mayor Welle stated Centennial Celebration is set for the Village on October 11, 2014 at Mary Harriman Park. We have gotten several donations and have everything pretty much lined up for the day.
- Addition to the agenda, making it 5a, Surplus Equipment. On September 17 the Chief and I attended the CAER meeting at the Monroe Woodbury School District. They gave an update on their security effort regarding the schools and what they can do to help the surrounding communities in a time of disaster.
- On September 19 the Deputy Mayor and I attended Orange & Rockland informational exchange. They told us all wonderful things that they have done to enhance their service for the next major storm.
- At the last meeting it was approved to join the National Joint Powers Alliance, the NJPA, this is for purchasing. We have been entered into a membership so this is another avenue we can explore when purchasing items for the village, mainly vehicles.
- Last night was the scoping session at Kiryas Joel, Bruce and I attended. This is on the 164 acre annexation proposal. And we'll see where it goes. The board has information from Pilgrim Pipeline. They are proposing to run a 178 mile pipeline apparently a lot in this area is along the NYS Thruway. I haven't had a chance to look into it yet to see if it's going to effect the Village and if so how.

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- We received a 2015 proposed sewer budget form Orange County. And there was a meeting today on the operation of the plant and they announced that the RFP, the increased capacity for the district the proposal are due to be opened tomorrow and to be reviewed. They are looking to add another 3 million gallons in capacity to the sewer district, whether it's at the Harriman plant or another location. They left that up to the proposals.

**HIGHWAY EXEMPTIONS 3 & 4, PETITIONS:**

Mayor Welle stated every year around this time we have been sending a petition to the Town of Monroe requesting to be exempt from highway items 3 and 4 and I have this petition ready for this year. These are for snow removal and other items that the town charges us for and that is done for by the Village's DPW. So I ask for the motion to be approved and sign this petition

**MOTION** was made by Trustee Chichester to approve and sign the petition

**SECOND** was made by Trustee Shuart

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Sacher  
Trustee Shuart

**ORCHARD HILL WATER STATION:**

Mayor Welle stated we received a notice about a month ago from our insurance agent that an inspection was done at the Orchard Hill Booster Station, which is in the Town of Monroe, and it turns out that it is in the designated flood zone. I gave this to John Russo to verify and apparently the back corner of the building is in the flood zone. In order to get the Nation Flood Insurance on it, it would cost us \$12,000a year. If you go up and look at the booster station and you look where it is if that's under water I think we're going to have a lot bigger issues to deal with than that one booster station.

Trustee Sacher asked if he would still insure it if we don't move it?

Mayor Welle responded that he'll insure it, just not for flood insurance. That's the only issue. If you get flooded then you're not covered. If you're in a flood zone, to be covered for flood insurance you have to buy the national flood insurance. We need a motion to approve spending \$11,859.00 for the annual premium for flood insurance for the Orchard Hill Booster Station.

**DENIED DUE TO LACK OF MOTION**

Mayor Welle states I will notify the insurance agent which is what he's anticipating our response would be.

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**SURPLUS EQUIPMENT**

Mayor Welle stated at the last village board meeting we awarded bids on four items that went through Auctions International. Two of them have already been paid for and removed. The 2001 Starlight Trailer which had a high bidder of \$1825.00, this has not been paid for, Auctions International gave them a final notice to pay. I'm looking for a motion that if they do not pay that to go to the next higher bidder. One of the two next higher bidders, depending, the first one is \$1800.00 and the next one is \$1725.00. Just in an effort to get rid of this piece of equipment but I would need a motion to accept either one of these bids if necessary.

**MOTION** was made by Trustee Shuart to accept either of these bids, if necessary  
**SECOND** was made by Trustee Sacher

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Sacher  
Trustee Shuart

Mayor Welle stated likewise with the 1991 Diamond Reo we awarded the bid of \$8100.00. They were given the final notice to pay. If this does not go through the two next lower bids are \$8000.00 and \$7600.00 and looking for a motion to accept those if necessary.

**MOTION** was made by Trustee Shuart to accept these bids, if necessary  
**SECOND** was made by Trustee Sacher

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Sacher  
Trustee Shuart

Trustee Sacher asks if we are allowed to contact them or does Auctions International do that Mayor Welle responds Auctions International do all the contacting, they take care of all of that. Everything goes through them.

**SECOND VILLAGE JUSTICE POSITION:**

Mayor Welle stated creating the office of second village justice in accordance with section 3-301 subsection 18 of Village law. Who shall be elected at the general village elections on March 18, 2015. This would eliminate the position of acting justice and this resolution is subject to permissive referendum.

**MOTION** was made by Trustee Shuart to adopt the resolution as stated by the Mayor.  
**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester                      **NAY:** Trustee Sacher  
Trustee Shuart  
Mayor Welle

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**ATTORNEY REPORT:**

Regarding the TJ Maxx gas easement HBPI, I did receive an email this afternoon from Ben Rinzler.

Marissa Tuohy responded that she will wait to hear from their attorney, and the attorney is reviewing that easement. Their concerns are the same things we already said before, like if anything was damaged. That's how easements work.

Mayor Welle states that his contractor did contact me last Friday after they looked at it and his contractor after we spoke had the feeling that Mr. Rinzler may not have fully understood what we were looking for.

Marissa Tuohy states that she also received an email from Orange & Rockland who also said it seemed like we were adding a road, but we're not

Mayor Welle responds that once the contractor and I discussed it, he was pretty confident that it was not going to be an issue. So hopefully the attorney will convince him of that.

SUD have you heard any more about that regarding the water?

Marissa Tuohy responds that I have not heard anything from them and the insurance company has requested that I close their file

Mayor Welle responds that we have to make a decision on where we are going on that so that we can be done with it one way or another

Marissa Tuohy responds I have to have a conversation with Ben whether we want to send them a letter or just what we want to do with it.

Mayor Welle responds the water bill with RD Management, have you received anything further back from Jacobowitz and Gubits.

Marissa Tuohy states that she has not and she will confirm with them that he has but generally everything has made it up to my office

Mayor Welle states that he will need Ms. Tuohy for executive session. Do you have anything else for us now?

Marissa Tuohy responds no.

Mayor Welle responds I will open it up now for public comment.

**PUBLIC COMMENT:**

Michael Hagopian, 160 Route 17M, just looking for an update for NYS Comptroller office. Are they still here? Did they come back with any report since August?

Mayor Welle responds that they are still here.

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Mr. Hagopian responds then they haven't completed anything at this point

Trustee Sacher responds that they don't give us any report until the end

Mr. Hagopian thanks the Board.

Mayor Welle responds by taking a motion

**MOTION** was made by Trustee Chichester to enter into Executive Session to discuss litigation and attorney client privilege.

**SECOND** was made by Trustee Shuart

**ALL IN FAVOR.**

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

Executive Session was held with Village Attorney Marissa Tuohy.

**MOTION** was made by Trustee Shuart to end Executive Session and return to the regular meeting.

**SECOND** was made by Trustee Chichester.

**ALL IN FAVOR**

A **MOTION** was made by Trustee Chichester and **SECONDED** by Deputy Mayor Shuart to adjourn the meeting at 7:35 pm.

**ALL IN FAVOR.**

Respectfully submitted by

  
Barbara Singer, Part time Clerk