

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
October 14, 2014

7:00 P.M. – AUDIT OF MONTHLY BILLS
7:30 P.M. – REGULAR MEETING

ROLL CALL:

Mayor Stephen Welle, Deputy Mayor Ed Shuart, Jr., Trustee G. Bruce Chichester, Trustee Christine Sacher, Building Inspector Ronald Walker, Treasurer Marie Coimbra and Attorney Benjamin Ostrer, Absent and excused, Police Chief Dan Henderson and 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 9/23/2014 Board Meeting. There being none, the minutes were accepted as written.

MOTION was made by Trustee Shuart to accept the 9/23/2014 minutes.

SECOND was made by Trustee Chichester .

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

INFORMATIONAL ITEMS:

- Bills were audited:
 - \$125,152.83 General Fund
 - \$ 96,154.83 Water Fund
 - \$ 3,360.00 Trust & Agency
- Upcoming meeting dates:
 - PLANNING BOARD MEETING: October 20, 2014
 - VILLAGE BOARD MEETING: October 28, 2014
 - ZONING BOARD OF APPEALS MEETING: November 19, 2014
- Notified by the DEC that there are plans to start the demolition and remediation of at least part of Nepera in December. When more information becomes available I will let you know.
- On file in the Village Hall we have a copy of the 2015 Monroe Fire District Budget for interested parties.
- This past Saturday, October 11, the Centennial Celebration was held in Mary Harriman Park it was very well attended, despite of the weather. There are a number of people responsible for making it possible and in the near future we will be filing a report on the activities.
- Hours of restricted activity as per section 92-3 of the Harriman code refers to the Halloween curfew, it is listed as October 30 and 31st- from 8:00 p.m. to 6:00 a.m. ending November 1st to 6:00 a.m. for minors under 18 are not allowed to be out unaccompanied by a parent or guardian. Due to the fact that the 30 and 31st are on a Thursday and Friday this year, the Chief of Police has asked that we extend to November 1st and November 2nd.

MOTION was made by Trustee Chichester to extend the curfew to November 1st and November 2nd.

SECOND was made by Trustee Shuart.

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

- Two additions to the agenda: 7G. Account 3130 and 7H. Account 3380

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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.
 \$575.00 Building permits
 \$150.00 Certificate of Compliance
 \$300.00 Municipals

Mayor asks the board if they had any questions, there were no questions from the board.

SURPLUS EQUIPMENT:

Mayor Welle stated 2001 Starlite Trailer which was previously declared surplus on 8/12/2014 and a bid of \$1,825 was awarded on 9/9/2014 was never paid. At the 9/23/2014 meeting the Board approved accepting the next lower bid. This was for \$1,800.00 and has been paid.

The 1991 Diamond Reo which was also declared surplus on 8/12/2014 and a bid of \$8,100.00 was awarded on 9/9/2014 was never paid. At the 9/23/2014 meeting the board approved accepting the next lower 2 bids. These 2 bidders did not respond. I contacted all board members and I need a motion to approve rebidding with a close dated of 10/17/2014.

MOTION was made by Trustee Shuart to rebid, with closing date of 10/17/2014.
SECOND was made by Trustee Chichester.

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

DELINQUENT WATER ACCOUNTS:

We need authorization from the Board to turn off water service to those accounts that are still not paid on Thursday, October 16, 2014 at noon in accordance with the Village of Harriman code.

MOTION was made by Trustee Shuart to authorize shut offs, if payment is not received.
SECOND was made by Trustee Chichester.

Trustee Chichester asks if there are accounts on here that we will discuss in the next part of the agenda? The Mayor stated there are several accounts on here that will be discussed. The Mayor stated to vote on this than vote on each individual account.

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

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WATER ACCOUNT 3190:

Mayor Welle states that we received a letter complaining about the late charge, this bill was paid by the customer's bank; he has attached a copy of his bank statement. The payment was never received by the Village. He is seeking to have the late fee waived on this account. He has paid this bill in full and would be getting a credit of the late fee of \$116.84. In the last 10 quarters they have never been late.

MOTION was made by Trustee Chichester that we credit the late fees as a one time waiver as outlined by the Mayor.

SECOND was made by Trustee Shuart.

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

WATER ACCOUNT 8070:

Mayor Welle states that we received a letter looking for waiver of late fees on this account. He claims that he sent the check and we never received it. The last 10 quarters he has never been late. He has paid this bill in full and would be getting credit of the late fees of \$38.43.

MOTION was made by Trustee Shuart that we give account 8070 a credit of the late fee as a one time waiver for one time as outlined by the Mayor.

SECOND was made by Trustee

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

WATER ACCOUNT 7065:

Mayor Welle states that we received a letter looking for a waiver of the \$114.77, claiming they did receive the original invoice. They have been on time the last 10 quarters.

MOTION was made by Trustee Chichester that we grant the waiver for one time as they have not been habitual.

SECOND was made by Trustee Shuart.

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

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WATER ACCOUNT 4256:

Mayor Welle states that we received a letter complaining that they sent a check and we did not receive it. They have been on time for the last 10 quarters. They claim they have sent another check. The Mayor stated if you are going to waive this please stipulate what you want to do about turn off.

MOTION was made by Trustee Chichester that we grant the waiver for one time of late fees of \$102.79 and we must receive the second check by Thursday, October 16, 2014 at noon to avoid turn off.

SECOND was made by Trustee Shuart.

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

WATER ACCOUNT 5275:

Mayor Welle states that we received a letter stated that they relocated and did not give the village a forwarding address, apparently their mail was held. The bill was paid in full minus the late fee. They are looking to have the late fees waived. The last 10 quarters they have been on time.

MOTION was made by Trustee Shuart that we grant the waiver for one time of the late fees in the amount of \$37.60.

SECOND was made by Trustee Chichester.

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

WATER ACCOUNT 3002:

Mayor Welle states that we received a letter from this account looking for a payment plan, 3 or 4 monthly payments. The last meter reading which was August there was no meter reading on the remote. Jane made an appointment to go in house to read the meter. They cancelled the appointment and advise Jane that they would reschedule, they never called to reschedule. Because they never rescheduled they got a high estimated bill and they yet allowed in the house to read the meter. The bill is in the amount of \$989.13. This water bill is in the amount of \$747.50 plus the penalty and the late charge for one quarter. He is not questioning the amount; he just wants more time to pay it. Mayor asks can we shut off for failure to show access to the meter. Attorney Ostrer states that if it is in the code. Ostrer discuss our different options to gain access to the meter. Mayor Welle states that with authorization from the board I will contact this individual tomorrow and go through a full explanation and the amount of payments the board would like to offer.

MOTION was made by Trustee Chichester to have the Mayor Contact Water Account 3002 and discuss the situation and offer a maximum of three payments.

SECOND was made by Trustee Sacher.

Mayor states that we will have to get access to the meter or we will seek an order to get in.

AYE: Trustee Chichester
Trustee Sacher
Mayor Welle

NAY: Trustee Shuart

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WATER ACCOUNT 3150:

Mayor Welle states that we received a letter today, claiming they are using more water now and they don't know why. They don't want to pay anything till they further investigate the cause for the water usage. As far as their history they are late 40% of the time.

DIES FOR LACK OF A MOTION

WATER ACCOUNT 3380:

Mayor Welle states that we received a letter requesting to remove the penalty, the bill was misplaced. A check for the entire amount was enclosed. We would be giving them a credit. They have been late 70% of the time they are late.

DIES FOR LACK OF A MOTION

BUILDING INSPECTOR – TRAINING

Building Inspector requesting to attend a training session on October 22, 2014 in Napanoch, New York in the amount of \$40.00

MOTION was made by Trustee Chichester to approve the Building Inspector training session as outlined by the Mayor.

SECOND was made by Trustee Shuart.

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

BUDGET RESOLUTIONS

Mayor Welle stated we need a Resolution to modify the 2013-2014 Budget increasing the revenue line A2705 (gifts and donations) by \$3,900.00 due to the donation from Takasago for the purpose of purchasing AEDs. This money was received and deposited in April. We just received the bill in the amount of \$3,900.00 so we will need to increase line A.3120.200 by \$3,900.00 for the 2014-2015 budget. This will come from the 2013-2014 unexpended fund balance.

MOTION was made by Trustee Shuart to approve the Budget Resolutions as outlined by the Mayor.

SECOND was made by Trustee Chichester.

Mayor Welle states his appreciation for the donation from Takasago.

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

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Mayor Welle stated we need a Resolution to modify the 2014-2015 budget increasing revenue line A2680 (Insurance Recovery) by \$3,586.96 and increasing expense line A.3120.408 by \$3,586.96. We will also need to move \$500.00 from A.1990.400 (Contingent) due to the deductible. This is for the 2008 Ford Crown Vic, police car.

MOTION was made by Trustee Chichester to approve the Budget Resolutions as outlined by the Mayor.
SECOND was made by Trustee Shuart.

Trustee Sacher asks if you were adding the \$500.00 to the expense. The Mayor replied yes.

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

ATTORNEY REPORT:

Attorney Ostrer stated the TJ Maxx easement is at council's office.

7 Berwynn Road as far as the water dispute our insurance carrier has closed their files. If we can get a response it is probably best that we shake hands and walk away.

If we are going to pursue the R&D Management outstanding water bill which is a significant number we need a resolution to authorize placing it in suit, otherwise you are just standing still with it. There was discussion on how we have not had any further feedback from George Lithco. Attorney Ostrer states the next step is for him to send a letter to R&D management stating that he has been authorized by the Village Board to commence proceedings if we cannot come to a resolution.

MOTION was made by Trustee Shuart to authorize Attorney Ostrer to commence proceedings with water account 4595.

SECOND was made by Trustee Chichester.

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

Mayor Welle states that John Lanc will be sending Attorney Ostrer information on changing the easement language for Arden Forest. We had done the water easement last year for the water line for the new tank. We want to change it to a Utility easement due to the fact we need to run a gas line.

PUBLIC COMMENT:

No Public Comment

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MOTION was made by Chichester to enter into Executive Session for litigation, attorney client privilege item.

SECOND was made by Trustee Stuart
ALL IN FAVOR.

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

MOTION was made by Trustee Stuart 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 Trustee Stuart to adjourn the meeting at 8:35 p.m.

ALL IN FAVOR.

Respectfully submitted by


Marie Coimbra, Village Treasurer