

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
January 13, 2015**

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, Trustee Lawrence Mosca, Building Inspector Ronald Walker, Police Chief Dan Henderson, Part time Clerk Barbara Singer and Attorney Ben Ostrer.

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 12/9/2014 Board Meeting. There being none, the minutes were accepted as written.

MOTION was made by Trustee Shuart to accept the 12/9/2014 minutes.

SECOND was made by Trustee Mosca.

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

INFORMATIONAL ITEMS:

- Bills were audited:
 - \$76,352.96 General Fund
 - \$49,851.93 Water Fund
 - \$ 2,550.36 Trust & Agency
- Upcoming meeting dates:
 - PLANNING BOARD MEETING: January 26, 2015
 - VILLAGE BOARD MEETING: January 27, 2015
 - ZONING BOARD OF APPEALS MEETING: February 4, 2015
- Planning Board and Zoning Board still have openings anyone interested should submit a letter to the Village Hall.
- November 2014 we were issued seven notices of violation on the water system. Upon review and discussion with the Department of Health it was determined that these violations were issued in error and on December 10 we received notification from the Department of Health that they all had been rescinded, it was a Department of Health paperwork error and it had nothing to do with the village water system or any of its employees. We did receive a notice of violation on Dec 19 regarding the North Main Street well, similar to the notification that we received in early 2013 regarding elevated levels of Alpha, which is radiological parameter. The village has attempted to drill another well to try to rectify the situation. The well that was drilled wasn't good water or significant amount to take care of the problem. Other issues have been looked at, there will be a notification going out to all water customers this Friday that explains the situation and as I say this has been an ongoing occasional problem and the village is looking in to it. It has been suggested by our hydrologist that we look into or authorize him to look into with the village engineer combining the North Main Street and the Mary Harriman well field.

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INFORMATIONAL ITEMS (CONTINUED):

We will look in to that in order to rectify the situation that is something that we would need board authorization to move forward on. It would need a feasibility study to see if it would work to take care of the situation.

MOTION was made by Trustee Mosca.

SECOND was made by Trustee Chichester.

AYE: Trustee Shuart
Trustee Chichester
Trustee Sacher
Trustee Mosca

NAY: -0-

I will notify them tomorrow, they did not say how long it would take.

- I received notification from Chuck Crover regarding the ZBA code recommendations he asked that the board take a look at them and discuss them at the next meeting. The building inspector has made mention that he has some recommendations, so if he could make a copy of them tomorrow so the board can review them, I would appreciate it.
- In accordance with Village Codes Code 132-15 - No overnight parking on roads in the Village from November 1st thru April 1st from 11pm -- 6 am. Code 132-27.1 No parking at all on Village the Village roads after 2 inches of snow accumulation until snow operation is complete.
- The village has received the final copy of the NYS office of the state audit and I'll just give a brief review. We received a letter from the comptroller's office on June 6, 2014 stating an audit would be done on internal controls. When I met with the office of the state controller's representatives on Aug. 7, 2014 when the audit commenced I was told they were here to audit a potential issue with segregation of duties in the water department. At the conclusion of the audit we were advised that there were no segregation of duties issues present in the water department. They did report on a few billing issues which have been addressed or are in the process of being addressed. They also audited the retirement program as they initially advised us that they would, although it would not be in the report. Any findings would be reported to the NYS Retirement system. When we checked with the retirement system on the state comptroller's report we were advised that the state comptroller was incorrect and that the village retirement recording was correct.
- We have one addition this evening. On item 7 one additional water account #7307, request that we received today.
- And for board members as we will be beginning the budget work sessions I need for board members to advise me what dates they will not be available in February and March so that we can set a schedule that best accommodates everyone.

DEPARTMENT REPORTS:

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report. Took in Funds of \$15

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Water Account Adjustments – see attached report.

Building Department – see attached report.

\$1,605.00 Building permits
\$1,040.00 Certificate of Compliance
\$ 100.00 Municipals

Building Inspector also issued his 2014 yearend report and in permits and the like he took in \$18918.00.

Mayor asks the board if they had any questions.

GENERAL CODE PROPOSAL:

To go along with the village website that is in the process of being developed. In order to put the village code on line through code publishing, which does the village code and most municipalities throughout the state, it would be the initial of fee of \$1295.00. This would include the first year and then after that it would be a \$995.00 annual cost. Currently in addition to paying for copies of all the updates for all of the code books we pay \$550.00 per year for the cd which has the code on it, that would be included in the \$995.00. This would reduce the number of printed code books that we would need, therefore reducing our reproduction cost and would give immediate on line access to anyone who was looking to find something in the code. This is something if we were going to do it we would need a motion to authorize code publishers to put this online.

MOTION was made by Trustee Shuart

SECOND was made by Trustee Chichester

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

PROBATION - POLICE OFFICER LEVISON:

I have a letter from the chief, he completed his probation period as per county guideline on Dec 12 and the chief is requesting that we officially remove him from probation as he has satisfied all requirements.

MOTION was made by Trustee Shuart

SECOND was made by Trustee Chichester

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

Deputy Mayor states that he would like to thank the Chief and that all he hears are good things about the department and the officers. Including Office Levison.

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WATER ACCOUNT REQUEST 8180, 1245:

Account 8180 asks that we waive the late fee, he's never been late; going back the last 10 quarters he has never been late.

MOTION was made by Trustee Chichester for the one time exemption

SECOND was made by Trustee Shuart

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

Account 1245 requesting the late charge be waived. He has never been late for the last 10 quarters.

MOTION was made by Trustee Chichester for the one time exemption

SECOND was made by Trustee Sacher

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

Account 7307 purchased the house at the end of August, his water bill was Nov, and for whatever reason the information of new water customer didn't get to the village. The bill was forwarded to the previous owner at his new address since he had a forwarding, fortunately for the water customer the former owner notified him of the delinquent notice and he is requesting the \$105 be waived as he didn't get the water bill, because we weren't even aware that he was the new customer.

MOTION was made by Trustee Chichester for the one time exemption

SECOND was made by Trustee Sacher

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

DELIQUENT WATER ACCOUNTS:

There will be shut offs on Jan 15 at noon. Authorize the shut offs in accordance with the Village code.

MOTION was made by Trustee Sacher

SECOND was made by Trustee Shuart

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

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BUILDING INSPECTOR – TRAINING REQUEST:

Request here for the building inspector to go to the 20th annual continuing education conference in Lake Placid, Sunday March 1 through Thursday March 5. The cost of \$684.00 plus mileage.

MOTION was made by Trustee Sacher

SECOND was made by Trustee Mosca

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

BUDGET TRANSFER:

Budget transfer from the Treasurer dated January 9, 2015.

MOTION was made by Trustee Chichester as outline by the Mayor

SECOND was made by Trustee Shuart.

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

TAX CAP OVERRIDE – PUBLIC HEARING:

We would need to set a public hearing for the tax cap override as in the past there is no intention to go over the cap but if this is not in place and we have a serious issue at the last minute we would not be able to potentially pay a tax certiorari or something that came in. We have not exceeded in the past we have adopted this to protect the village and that would be the only reason for having the public hearing and moving forward with that. So we set a public hearing for Jan 27 at 6:55 which would be prior to the Village Board meeting.

MOTION was made by Trustee Chichester as outlined by the Mayor

SECOND was made by Trustee Shuart

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

POLICE CHIEF CONTRACT:

His contract is expiring and in an effort to have the contract in place prior to working on the budget, we would need a motion to authorize opening negotiations with the chief for a new contract.

MOTION was made by Trustee Shuart

SECOND was made by Trustee Chichester

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

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At the same time, we need authorization for resubmitting for the 211 labor for the chief.

MOTION was made by Trustee Shuart

SECOND was made by Trustee Chichester

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

ATTORNEY REPORT:

There is no update on the gas easement we are waiting for Miss Roberts, the attorney, to get back to us. I spoke to Marissa about this evening. We do have something's to go over about the report submitted to us by Bond, Schoeneck & King. I had a meeting with the Mayor and Tom McDonough with Jackson Lewis regarding implementing a training program consisting with the recommendations in the report and I think that something the Board should address so that we can go forward with that. As well as authorizing me to write to the Village employees advising them of the recommendations in the report. I think we should be taking action Some of this I can speak to you about in executive session as far as the ? was concerned the council did investigate issues concerning some employee matters and employee interactions and made some recommendations I think that most important to ensure that there are protocols in place and training available to Village officials and Village employees so that we can avoid any issues regarding the comfort in the employees working here at the village hall or the village in any location, not just the village hall. This would apply to our other services other than the employees governed by collective bargaining. And Jackson Lewis has represented the village before on other matters involving retiring employee, most recent vintage. They are the foremost law firms in the country concerning labor management issues and they exclusively represent management the lawyer who was suggested to do the training actually does similar training at crystal run health care, just by way of example. They are a very large employee in the county and have significant experience. If you're going to copy someone's homework, that's the person whose homework I would copy. That the best way I would put it. Michelle Phillips is the attorney who was specifically did the training for Crystal Run Health Care and other major employers in the Hudson Valley and she would be available to us, so we're really getting an opportunity to get some very top flight training, included in the training are step by step how at the early stages of somebody expressing anything, sexual harassment, someone speaking disrespectfully to another employee, somebody who observes another employee doing something wrong and is worried about being classified as an informant or a rat, It clears the deck for the employee so that they have some comfort who they report to, how they report, and also for our more senior department heads how they can field any employee complaint. She got very high reviews from the human resources people at Crystal Run who I have worked with so I think we should really take it to the next step. I can speak with Mr. McDonough at Jackson Lewis about taking that next step to get that implemented in the near term. We get some traction on this we can start to take action with respect to the report that we received. Perhaps I can ask the board to adopt a resolution to authorize me to speak with both Tom McDonough and Michelle Philips about getting a proposal for us on doing the training. I think that they would be able to get it to us perhaps even by the next meeting so that we could be acting on it either late this month or by our next meeting in Feb.

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So that would be authorizing me to communicate with Jackson Lewis to get a proposal for training consistent with the Bond, Schoeneck & King report.

Mayor Welle agrees.

I would also like authorization to, because I will need certain employee information in order to write to them, to communicate with them consistent with the other recommendations in the report. I'll obviously supply copies of any of the correspondence to the Village Board. And I can certainly run the letter by her (Jessica, the attorney at Bond, Schoeneck, & King) if that suits you, I have no problem with that. I can draft it, get it to Jessica, she'll get it back to me, and then I'll get it to the board for the final look-see and then we can circulate it to the employees.

MOTION was made by Trustee Chichester

SECOND was made by Trustee Mosca

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

Anything back from water account 4595
The Attorney responded No

PUBLIC COMMENT:

No Public Comment.

MOTION was made by Shuart to enter into Executive Session for personnel with the attorney.

SECOND was made by Trustee Chichester.

ALL IN FAVOR.

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

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

SECOND was made by Trustee Sacher.

ALL IN FAVOR

A **MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Mosca to adjourn the meeting at 8:50 p.m.

ALL IN FAVOR.

Respectfully submitted by


Barbara Singer, Part time Clerk