VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
April 18, 2017
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7:15PM - PUBLIC HEARING – Local Law #3

The Mayor read the following:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law amending the special permitted uses in the R-50 Residential Zone; rezoning the following property in the R-100 residential district to the B-2 commercial district: Town of Monroe tax map number 106-3-12; and rezoning the properties identified as Town of Monroe tax map parcels 102—4-6.1, 102—4-6.2, 102—4-6.3, 102—4-6.4 and 102—4-6.5 from the B-2 District (commercial) to the R-50 District (residential). The proposed local law will also amend § 74-7 of the Village Code, relating to charges and fees for unpaid and delinquent water accounts, by clarifying how, when and in what amounts such fees and charges become due. The hearing will be held in the Village at Harriman Village Hall, 1 Church Street, Harriman, New York on April 18, 2017 at 7:15 p.m. or as soon thereafter as the matter may be heard.

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.

Mayor asked were there any write in’s

Ms. Leake replied no.

The Mayor stated this local law is deleting public and private schools from the $-50 residential zone due to the change in the Village over the years with the amount of congestion. Rezone parcel 106-3-12 this is a parcel that is on Route 17M. It is currently zoned R-100. It is bordered on the North/South/East by commercial property now and the Board has had some discussions and doesn’t believe that a regular residential zone would belong on Route 17M. It would be more suited to be a business location there. The 102-4-6-1, .2, .3, .4 & 5 is currently 5 lots. One of them being a private road, Three being private houses and the fourth one being a small lot and the proposal is to change it from B-2 (commercial) to rezone it R-50 which is more in keeping with what it is. Section 74 has to do with late fees for those that are ongoing mainly. Regarding this Local Law #3 with the Zoning changes there will have to be a 239 filed with the County which is here tonight for Board Approval. Also, SEQRA will have to be done and all filed with the County. In all probability we will not get anything back until after the May meeting.

Mr. Hagopian asked concerning the piece on 17M 106-3-12 east of that is the piece that was going to be annexed in I Believe.

Mayor replied yes, it is supposed to be back in the Town now and it was zoned commercial, but due to the infinite wisdom of Town Officials and previous Attorney it is not back yet. I believe if someone went to build on it now it would go back and revert back to their commercial zone. If the developer came today and tried to use it as it is it wouldn’t fly. Everyone would wind up in a lawsuit. It is still in the Village of Harriman, but it doesn’t really belong here according to the decision by the judge.

Mr. Hagopian stated it was confusing on the tax map. 17M is showing in Harriman.
7:15PM - PUBLIC HEARING – Local Law #3

Mayor stated it is in front of the trailer park but the majority of that parcel is the Town of Monroe. That was the parcel ID#. When the property goes back to the Town it will be a smaller parcel there.

Mr. Hagopian asked it would still have the floating zone?

Mayor replied yes. That could be applied depending on all the criteria that are in the RSH zone in the Code.

Mr. Hagopian asked the piece behind it is the R-100?

Mayor replied the trailer park is the R-100.

Mr. Hagopian asked is the trailer park behind this lot or it an empty lot?

Mayor replied no, there may be a strip that runs from it coming out, but this mainly comes down and backs up to the trailer park. To the North, East & South are all commercial. It doesn’t lend itself to single family residential.

Mr. Hagopian stated if they want to do multi they would come back in.

Mayor replied if someone wants to do a senior housing will address it again.

**MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Farrell to keep the Public Hearing opened until the June meeting. **ALL IN FAVOR**

Respectfully submitted by: ____________________________________________

Jane Leake, Village Clerk
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7:25PM - PUBLIC HEARING – Local Law #2  

The Mayor read the following:

PLEASE TAKE NOTICE THAT the Village Board of the Village of Harriman will hold a public hearing on proposed Local Law No.2 of 2017 entitled "A Local Law to Repeal Local Law Number 1 of 2017" at 1 Church Street, Harriman, New York on April 18, 2017 at 7:25pm or soon thereafter as the matter may be heard. Said currently proposed Local Law will allow the Village of Harriman to repeal Local Law No.1 of 2017, which was adopted on February 14, 2017 which granted authority to the Village Board to override the limit on the amount of the real property taxes that may be levied, pursuant to the General Municipal Law 93-C and which would have allowed the Village Board at its discretion to adopt a Village budget for fiscal 2017/2018 that require a real property tax in excess of the tax levy.

PLEASE TAKE FURTHER NOTICE that the Village Board adopted a Village budget for fiscal 2017/2018 that did not exceed the tax levy limit, and therefore, the Village Board wants to repeal Local Law No.1 of 2017, thereby, making the Village residents eligible for a New York State Property Tax Rebate Program. 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.

Mayor asked did we receive any written comments on this?

Ms. Leake replied no.

Mayor stated regarding the rebate on the Monroe side – you will not receive one. The Woodbury side residents in the Village of Harriman will.

No comments.

MOTION was made by Trustee Borowski and SECOND by Trustee Chichester to close the Public Hearing. ALL IN FAVOR.

Respectfully submitted by: ________________________________  
Jane Leake, Village Clerk
ROLL CALL
Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Frank Borowski, Trustee Sandra Daly, Village Clerk Jane Leake, DPW Superintendent John Mulligan, Police Chief Dan Henderson, Building Inspector, John Hager and Village Attorney Dave Darwin

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 minute of March 15, 2017 Regular Board Meeting and April 4, 2017 Organization.

MOTION was made by Trustee Daly to accept the minutes of March 15, 2017 Regular Board Meeting and April 4, 2017 Organization.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell  NAY: NONE
Trustee Chichester
Trustee Borowski
Trustee Daly

INFORMATIONAL ITEMS:

- This evenings bills were audited:
  Trust & Agency $ 1,022.96
  General Fund $ 99,270.37
  Water Fund $ 70,107.88

- Upcoming Meeting Dates:
  Zoning Board of Appeals Meeting – May 3rd
  Planning Board – May 15th
  Village Board – May 9th

- At the last meeting I discussed that a Violation Notice would be going out on the water. The notice did go out once it was approved. Again, it does not affect the low pressure system that is included in the letter and it also states that water samples were collected from the distribution system and the concentration of Uranium detected was under the MCL. Although it was a violation at the well head in the system itself it was well below the maximum concentration level.

- Clean Sweep is this Saturday, April 22, 2017 starting at 8am St. Anastasia’s Church. Invite all to attend. In the back are some posters the kids in Saffire and Pine Tree Schools have made for Clean Sweep along with some in the front windows of the building and they are displayed in some businesses throughout the area.

- We do have Planning Board/Zoning Board of Appeals openings. Anyone interested please submit a letter of intent to the Village Clerk.

- The Town of Monroe compost facility beginning last Friday, they are open Friday and Saturday through May the 13th 8am – 2pm. They will accept leaves and brush. The brush must be tied,
under 4ft in length and larger than 5in in diameter. No grass clips, logs or wood would be accepted. The compost facility on Lakes Road.

- We are looking forward to renovations in this building and we have written letters to Assemblyman Skoufis and Senator Larking to see what and if any funding is available and we will be pursuing that area.

- Just for information purposes we had a salt spreader where there were several issues with it. It was an electric sander. It was back to the dealer several times. After the last time we took it back he swapped it out and we now have a brand new gas operating sander at no additional cost to the Village. That worked out very well, Thank you John for your help in that.

- I received an invitation; Bill Kopchak turned 90 this past month. Although he is not a Village resident he has always been very involved with the veteran’s here and with the monument in the square so they had a surprise party for him at the VFW which I did attend and he was very surprised.

- Pilgrim pipe line a group of us had gotten together and authorized Supervisor Randazzo of Cornwall to send a letter to the Governor’s Office requesting a meeting. After a couple of months they sent a letter that the project appears to be inactive as they have not filed anything in several months. We will keep watching it, but currently right now it appears to be inactive.

- Young Chucky Crover came before the Board about a year and a half ago to do a community service project for his Eagle Scout badge. He redid the shrubs by the monument in the square and he has earned his Eagle Scout. There is a ceremony later this month and the Board will present a plaque to him that day.

- We have had a couple of Life Insurance vendors approach the Village on offering different portable life insurance policies to Village employees. As we have in the past, they will be opened up to the employees and there will be no cost to the Village if they decide to participate in them. The only part would be that it would have to be recorded as a payroll deduction.

- Gardens at Harriman Station they appeared before the Village of Harriman Planning Board last night. Prior to that the Village of Woodbury had declared themselves Lead Agency. I had been noticed on it. They had not included the Village of Harriman in their notice so it was pointed out last night that their notice was defective and that would be brought up to the Village of Woodbury because they will have to re-notice it to give the Village of Harriman Planning Board the opportunity to choose lead agency status. I did send a letter last week requesting that the Village Board be considered for at least co-lead agency. Although the majority of the development would be in Woodbury. The majority of the impacts will be felt by the Village of Harriman. Their presentation last night had more unanswered questions than answers. It is still a concept plan – not defined totally.

- The Building Inspector is still working on the unregistered vehicle complaints.

- ADDITIONS:
  20a)  Seasonal DPW Hire
  16a)  Water Account 7308

DEPARTMENT REPORTS
Treasurer Report – see attached report
DPW – see attached report
Police Department – see attached report - $60.00 in funds
Water Account Adjustments – see attached report
Court Reports – see attached reports – took in $22,214.00 – Village received $14,769

Building Department – see attached report

- $ 90.00 Building Permits
- $ 400.00 Violation Searches
- $ 90.00 Sign Permits
- $ 580.00 Total

The Mayor stated the DPW Report – March 14 snow event and the following days of clean up – the guys did a good job. Total cost of the snow removal and subsequent couple of days of clean up was just under $28,000.00 in man power, equipment usage and material for the salt. The County had asked for the numbers. I don’t know that we would get any kind of reimbursement.

LOCAL LAW #2 - 2017
The Mayor stated the public hearing was held and there were no public comments nor written. This is to repeal Local Law #1 which was the tax cap levy override so we are looking to repeal that.

MOTION was made by Trustee Chichester to repeal Local Law #1.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
      Trustee Borowski
      Trustee Chichester
      Trustee Daly

LOCAL LAW #3
The Mayor stated the public hearing was held and there were no written comments and a couple of comments from the audience. As stated we will hold the public hearing open to the June meeting by which time we should have the 239m comments back from the County so it can be further discussed.

SEQRA RESOLUTION
The Mayor read the following resolution:

A RESOLUTION OF THE VILLAGE OF HARRIMAN BOARD OF TRUSTEES PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT DECLARING ITSELF LEAD AGENCY AND DETERMINING THAT THE AMENDMENTS TO THE VILLAGE CODE AS PROPOSED IN LOCAL LAW #3 OF 2017 WILL NOT HAVE ANY SIGNIFICANT ADVERSE ENVIROMENTAL IMPACTS

WHEREAS, the Village of Harriman proposes to adopt Local Law No. 3 of 2017, making certain changes to, and within the R-50 residential district, the R-100 residential district and the B-2 commercial district (“the Action”); and

WHEREAS, in compliance with the State Environmental Quality Review Act (SEQRA) and the SEQRA regulations, the Village of Harriman intends to serve as Lead Agency for the action, has made a determination that the proposed action is an Unlisted Action under SEQRA, and has conducted and environmental review of the proposed Action, and completed a short Form Environmental Assessment Form (“EAF”);

NOW, THEREFORE, it is hereby

RESOLVED, that this Village Board hereby (1) declares itself lead agency for the proposed Action; (2) makes a determination that the Action is an unlisted action under SEQRA; and (3) makes a determination that the proposed action will have not result in any potential, significant, adverse environmental impacts.

MOTION was made by Trustee Chichester to approve the SEQRA resolution.

SECOND was made by Trustee Farrell
AYE: Trustee Farrell  NAY: Trustee Chichester
Trustee Borowski
Trustee Daly

MOTION was made by Trustee Daly to authorize the mayor to sign and file the 239m with the County.
SECOND was made by Trustee Borowski

TRAINING REQUEST – DPW Superintendent
The Mayor stated the DPW Superintendent is requesting training tomorrow for $44.00, the previous one he was unable to attend because class was full
MOTION was made by Trustee Chichester to accept the DPW Superintendent training request on April 19, 2017 for $44.00
SECOND was made by Trustee Farrell

BUILDING DEPARTMENT SOFTWARE PROPOSAL
The Mayor stated to Attorney Darwin it is my understanding that you have spoken with the gentlemen and you are going to have some dialogue that will be added to a portion of this. Attorney Darwin replied I did go through it with him, he answered all my questions and clarified everything for me with what I propose to do is put together a contract cover sheet and attach the proposal as an addendum to the contract incorporated by reference into it.
MOTION was made by Trustee Chichester to approve the Wagsys Company proposal in the amount of $3,490.00 as a contract subject to adding the language and the company signing off on it.
SECOND was made by Trustee Daly

ATTORNEY DARWIN STATED THERE IS A YEARLY SUBSCRIPTION FOR YOU MAYOR OF $1,045.00 IN ADDITION.

IMA – Mobile Data Terminal
The Mayor stated we have been back and forth with the County on this Mobile Data Terminal Agreement through a County grant and we were originally denied. After a little over a year the County has decided they would like to give us this Mobile Data Terminal.
MOTION was made by Trustee Daly to authorize for the Mayor to sign the Inter Municipal Agreement for the Mobile Data Terminal.
SECOND was made by Trustee Chichester

2016 SLETPP GRANT CONTRACT
The Mayor stated I need authorization to sign contracts with the County of Orange for the SLETPP (State Law Enforcement Terror Prevention Program) Grants for 2016.
MOTION was made by Trustee Farrell to authorize the Mayor to sign contracts with the County of Orange for the SLETPP (State Law Enforcement Terror Prevention Program) Grants for 2016.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE

P/T COURT CLERK
The Mayor stated there is a proposal from the Judges to hire a Diana Kesten as a part time Court Clerk, as soon as possible at $14.00 an hour with twelve months’ probation.

MOTION was made by Trustee Borowski to approve hiring, Diana Kesten as a part time Court Clerk, as soon as possible at $14.00 an hour with twelve months’ probation.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE

DELINQUENT WATER ACCOUNTS
The Mayor stated we have a list of delinquent water account to be shut off on April 20, 2017.

MOTION was made by Trustee Chichester to approve the delinquent water account to be shut off on April 20, 2017 providing they have not paid their bill by then.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE

RELEVY
The Mayor stated we need a motion to relevy the inside water accounts who are delinquent in the amount up to $12,534.86.

MOTION was made by Trustee Chichester to approve relevying the inside water accounts that are delinquent in the total amount of $12,534.86. Any bills paid before submission to the County will be deducted and the final amount will be provided at the May meeting.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE

TAXES ON PROPERTIES 106-4-2 and 107-2-15
The Mayor stated the following amount will be added to tax bills this year as their prorated share of the 2016/2017 Village taxes. These are two properties that were sold in the Village this past year which did not qualify for the previous exemptions that were on the property. According to the County Assessor’s Office paperwork they have to make up for the taxes they did not pay. 106-4-2 will have an additional $324.26 and 107-2-15 will have $244.29 added.

MOTION was made by Trustee Chichester to approve tax bill additions on properties 106-4-2 in the amount of $324.26 and 107-2-15 in the amount of $244.29.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE
REQUEST – CHIEF - CONFERENCE
The Mayor stated the Chief is requesting to go to the FBI National Academy Associates Conference July 30 – August 2, 2017 at a cost of $400.
MOTION was made by Trustee Farrell to approve Chief’s FBI National Academy Associates Conference July 30 – August 2, 2017 at a cost of $400.
SECOND was made by Trustee Daly
AYE: Trustee Farrell
      Trustee Chichester
      Trustee Borowski
      Trustee Daly
NAY: NONE

REQUEST – MW CRUSADERS U16 TRAVEL TEAM
The Mayor stated MW Crusaders U16 travel team would like to use the VFW field on Sundays from Noon – 4pm ending November 5, 2017. When the fields open will be depended on the weather. We do have the insurance certificate for this.
MOTION was made by Trustee Chichester to approve the MW Crusaders U16 Travel Team VFW field usage on Sundays from noon – 4pm ending November 5, 2017.
SECOND was made by Trustee Farrell
AYE: Trustee Farrell
      Trustee Chichester
      Trustee Borowski
      Trustee Daly
NAY: NONE

Trustee Farrell asked I know we approved the Little League so how does this fit in to the scheduling? I’m concerned about a conflict.

Trustee Chichester replied the Little League does not play basically at their times that they are requesting.

The Mayor stated the head of the Little League originally had said that they would work out what they needed to and I have contact Little League and I have not heard anything back.

Trustee Chichester responded this is basically the schedule they followed last year.

Trustee Farrell replied that is fine. I just don’t want to get into an issue.

PROCUREMENT POLICY
The Mayor stated we updated the Procurement Policy at the Organizational meeting, but there were two items that were missed in it. Under 1 the second paragraph where it said Village Clerk it should be Deputy Clerk and where it said Village Clerk’s Office it should say Clerk’s Office.
MOTION was made by Trustee Daly to approve the Procurement Policy changes: under 1 the second paragraph where it said Village Clerk it should be Deputy Clerk and where it said Village Clerk’s Office it should say Clerk’s Office.
SECOND was made by Trustee Farrell
AYE: Trustee Farrell
      Trustee Chichester
      Trustee Borowski
      Trustee Daly
NAY: NONE

WATER ACCOUNT REQUESTS
Account 6155
The Mayor stated they are requesting that the late fees be credited. They have never been late.
MOTION was made by Trustee Borowski to approve a one-time penalty credit on water account 6155.
SECOND was made by Trustee Chichester
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AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

Account 7308
The Mayor stated they had a very high meter reading last quarter and they are going to get another meter reading this quarter – they have found another leak. They also have late fees they are looking to get waived. Unfortunately in the last year they had a couple of late payments. My recommendation would be that we have a discussion with them regarding their new bill that maybe can give them a one-time lowest rate for the water used.

MOTION was denied on the penalty request, but will be notified on the lowest rate offer.

Training Request – Village Clerk
The Mayor stated the Village Clerk is requesting NYCOM Training on Tuesday, April 25 at the cost of $50.00 plus travel.

MOTION was made by Trustee Farrell to approve the Village Clerk’s NYCOM Training request for Tuesday, April 25 at the cost of $50.00 plus travel.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

Dpw Surplus Equipment Bid Award
The Mayor stated the Board had surplus the 2005 Jacobsen Turf Cat two wheel drive. The high bid was $4,000.

MOTION was made by Trustee Farrell to accept the 2005 Jacobsen Turf Cat two wheel drive bid of $4,000.00.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

School Supplies Collection
The Mayor stated some of the women in the office and Trustee Farrell have discussed doing a School Supply Drive for under privileged students in the community. There is no monetary outlay by the Village. We will put it in the Photo News; put it on the website and Channel 22 and to the surrounding Municipalities.

MOTION was made by Trustee Chichester to approve Supply Drive for under privileged students in the community.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

Trustee Farrell stated I was glad that it was pointed out that one of the drop off stops should be the Police Department when the offices are closed and people should come into the Police Station.

Budget Transfers
The Mayor stated budget transfers as listed April 13, 2017 memo.
MOTION was made by Trustee Chichester to approve the budget transfers as included in the April 13, 2017 memo from the Village Treasurer.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE

The Mayor stated we also have a Budget Modification raising the revenue on the A2680 and an expense on the A.3120.408 by $2,651.57.

MOTION was made by Trustee Chichester to approve the budget modifications as outlined by the Treasurer in the April 13, 2017 memo.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE

SEASONAL DPW WORKER

The Mayor stated we budgeted for a seasonal DPW worker this year that we need authorization for to hire a Nicholas Torres starting as soon as possible at $13.00 an hour. The hours per week may vary depending upon availability and work availability.

MOTION was made by Trustee Chichester to approve the DPW seasonal worker Nicholas Torres starting as soon as possible at $13.00 an hour.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY: NONE

ATTORNEY REPORT

The Mayor stated it is my understanding that the credit card agreement with the new company is not ready yet.

Attorney Darwin replied there are some unanswered questions. There answers aren’t clear to me. I’d like to look into it further.

The Mayor stated we will continue with the same company that we are using now until such time or if we can get this one straightened out.

Mayor asking do you have anything else for us.

Attorney Darwin replied the only thing is that there has been some incremental progress on the Villages attempt to inquire the North Folk Southern property. At least the lines of communication are open and they keep asking for more information which we keep providing.

PUBLIC COMMENT - NONE

MOTION was made by Chichester to enter into Executive Session with Dave Darwin, Esq., James Randazzo, Esq. (Gaines, Novick, Ponzini, Cossu, Venditti, LLP), and Chief Henderson to discuss three litigation items and Attorney Client Privilege Item.

SECOND was made by Trustee Daly

ALL IN FAVOR

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

Executive Session with Dave Darwin, Esq., James Randazzo, Esq. (Gaines, Novick, Ponzini, Cossu, Venditti, LLP), and Chief Henderson

**MOTION** was made by Trustee Chichester to adjourn Executive Session and return to the Regular Session Meeting at 8:45pm.

**SECOND** was made by Trustee Daly

**ALL IN FAVOR**

**MOTION** was made by Trustee Chichester to authorize a budget transfer of $5,000 from A1990.400 (Contingent) to A1930.400 (Judgements and Claims). This is to settle Gerrard vs Village of Harriman. Encumber funds to 2017-2018 Budget if not paid out prior to May 31, 2017.

**SECOND** was made by Trustee Daly

**ALL IN FAVOR**

**MOTION** was made by Trustee Borowski and **SECONDED** by Trustee Farrell to adjourn the meeting at 8:50pm.

**ALL IN FAVOR**

Respectfully submitted by: ________________________________

Jane Leake, Village Clerk