

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
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6:45pm – AUDIT BILLS
7:15pm - PUBLIC HEARING – 2018/2019 Budget
7:30pm – REGULAR MEETING

PUBLIC HEARING

NOTICE OF PUBLIC HEARING – Mayor Read:

Pursuant to Section §5-508 of the Village Law of the State of New York, the tentative budget for the Village of Harriman has been prepared and filed with the Village Clerk at the Village Office, 1 Church Street, Harriman, New York, where it may be examined by all interested persons between the hours of 8:00a.m. to 4:00 p.m.

Said tentative budget includes a maximum compensation for the Mayor of \$18,000 per year and for the Trustees of \$7,357 per year.

A summary of the tentative budget is as follows:

General Fund	\$3,096,593	Water Fund	\$1,635,369
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A Public Hearing on the budget will be held at 1 Church Street, Harriman, New York on April 10, 2018 at 7:15 p.m. to consider same before final adoption.

The Mayor asked have we received any written correspondence?

Ms. Leake replied no.

Mayor stated the appropriations went up 7.5%. The amount raised by taxes, tax levy 2%. Town of Monroe and Woodbury tax rates went up 2%. Town of Monroe average house assessed at \$150,000 goes up \$51.65. The average house in the Town of Woodbury assessed at \$100,000 goes up \$45.91. We did stay in the 2% tax levy cap.

No Public Comments

MOTION was made by Trustee Chichester to close the Public Hearing.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

REGULAR MEETING

ROLL CALL

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Sandra Daly, Building Inspector John Hager, DPW Superintendent John Mulligan, Village Clerk Jane Leake and Village Attorney Dave Darwin.

ABSENT: Chief, Dan Henderson and Trustee Borowski

The Mayor asked everyone to stand for the Pledge of Allegiance

APPROVAL OF MINUTES

Mayor Welle asked if there were any changes or corrections to the minutes of March 13, 2018 Regular Board Meeting.

MOTION was made by Trustee Farrell to accept the minutes of March 13, 2018 Regular Board Meeting and April 3, 2018 Reorganization.

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SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

INFORMATIONAL ITEMS:

This evening's bills were audited:

Trust & Agency	\$ 984.00
General Fund	\$ 266,334.89
Water Fund	\$ 42,907.47

- Upcoming Meeting Dates:
ZBA – May 2, 2018
Planning Board – April 16, 2018 and May 21, 2018
Village Board – May 8, 2018
- Brush Policy – has been updated. It will be picked up once a week. Nothing larger than 4: in diameter, butt end out toward the street – not in the street and no more than 100lbs at a time. Bagged material and stumps will not be taken.
- Snow and Parking Restrictions – no on street parking until such time as it has been cleared.
- School Supply Drive – continues. We will put something in the paper next month. We constantly accept school supplies for the less fortunate.
- Food Drive – we did a non-perishable food drive. It did go over very well and it was delivered to one of the local food pantries and much appreciated. I want to thank everyone who participated in that.
- Monroe Clean Sweep – Saturday, April 21 8am – Noon starting at St. Anastasia. We will concentrate on Route 17M from Silver Maples up to the intersection of 208 in Monroe.
- We have Planning Board and Zoning Board of Appeals openings. Anyone interested ask that you send a letter to Village Hall stating your interest to be on either Board.
- Orange County Hazardous Waste Collection and Operation Safe Scripts Pharmaceutical Collection Event is Saturday April 14 at Thomas Bull Park in Montgomery. Flyer available in Village Hall.
- DPW Superintendent and I have met with Yonker's Contracting and the DOT regarding the work out on 17 and 32 that affects the Village. We have reiterated that sidewalks and other utilities were not permitted to be on top of our Water Mains.
- Village of Woodbury scheduled a Public Hearing Thursday, April 12 7pm regarding Wireless Telecommunications Facilities which they are putting a moratorium on.
- The Heritage Trail – the County has come in and cleared the trees to what will potentially be the access in Harriman into the Heritage Trail. It is my understanding they are in the process of getting the final agreement with the property owner over there. They did sign off on the license agreement for having the trees removed.

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- ADDITIONS
 - 6b) Water Account 446
 - 6j) Water Account 800
 - 6k) Water Account 783
 - 8) Park Request - McKeown
 - 13a) Budget Modifications

Mayor stated this evening will be the last regularly scheduled Board Meeting in this building, due to the fact that we are going to be demolishing this building and building a new Government Center here, which will encompass Village Offices, Court, Building Department and Police Department. Everyone is out of space and has been. There are a number of issues with this building which is beyond renovation. It will be torn down and replaced. We hope to be going out to bid shortly. Things are almost ready, but there is still a lot of work to be done before any construction or demolition can start. We need to be out of here. It appears in the minutes that the first Village Board Meeting in this building took place on July 10, 1956. Present at that meeting were Mayor Farrell, Trustee Scalia and Louis, Treasurer Demke and Clerk Carey. This building has had several renovations and additions over the years and has served the Community well. The Village Offices, Building Inspector and the Court will be moving diagonally across the street into the old Harriman School. The address is 12 Church Street. There is a sign out there that is currently covered up and will be uncovered when we do move over there. We will be closing the offices here next Wednesday, April 18 at Noon and they will remain closed until we reopen Monday, April 23, 2018 at the School Building. There is a lot to coordinate and get done to get back into business.

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report - \$30.00 in funds

Water Account Adjustments – see attached report

Court Reports – see attached reports - February - \$12,920

Village received - \$7,575

Building Department – see attached report

\$ 00.00	Building Permits
\$ 400.00	Violation Searches
\$ 400.00	Total

2018-2019 BUDGET

Mayor stated the Public Hearing was held tonight. There were in written or public comments. The tax levy increase remained at the 2% level. We came just shy of the 2% tax levy cap, including the mortgage for the new building.

MOTION was made by Trustee Chichester to adopt the 2018-2019 Budget.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

WATER ACCOUNTS REQUESTS

Accounts:

A- H, J and K)

763, 180, 446, 275, 676, 263, 21, 181, 675, 800 AND 783 – These accounts did not have delinquents in 10 quarters.

MOTION was made by Trustee Daly to approve the one-time penalty waivers on accounts A-H above.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

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I -567 – Waiver Request – had penalties in the past
DENIED for LACK OF A MOTION

POLICE CHIEF TRAINING REQUEST

Mayor stated he is requesting to go to the FBI National Academy Associates Conference, July 21 – 24 in Quebec. The only cost to the Village is the cost of the conference at \$375.00. The Chief is covering the transportation and hotel.

MOTION was made by Trustee Farrell to approve the Chiefs Training Request.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

PARK REQUESTS

Gristina – July 21, 2018 - 3-8:30pm

MOTION was made by Trustee Farrell to approve the Park Request.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

McKeown – July 14, 2018 - 2-7pm

MOTION was made by Trustee Daly to approve the Park Request.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

WATER SHUT-OFF'S

Mayor stated we have a list of 18 delinquent water accounts that have been notified. The Board needs to approve termination of service if not paid by Thursday morning.

MOTION was made by Trustee Chichester to approve termination of service if not paid by Thursday morning.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

RE-LEVY AMOUNTS

Mayor stated we have a list of water re-levy's in the amount of \$17, 075. 67. Proper maintenance issues in the amount of \$647.79 and engineer/attorney fees in the amount of \$781.66. These are the amounts that would need to be re-levied on the Village taxes providing they are not paid prior to the submission date.

MOTION was made by Trustee Chichester to approve the re-levy's if not paid prior to submission.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

HEARING REGARDING 2 MAPLE AVENUE (103-2-3)

The Mayor stated you have been issued several notices and the building has been posted. To my knowledge you have not spoken to the Building Inspector again regarding a plan to take care of any of these deficiencies, is that correct?

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Mr. Josef Mendlovic replied there was a little time that I did not notice them. I called him and told him I am planning to do all the work. He told me there was going to be a meeting. I had some family issues so I was out for a couple of months and didn't take care of the mail and things like that. That was the reason, but my intentions are fully to do everything the right way. I didn't see anything major just that it had to be taken care of.

Mayor state there are several issues on here and not to be disrespectful, why should we believe that you are going to take care of anything there.

Mr. Mendlovic replied because I want to make money. I had this building for years and years and I have no reason to abandon it. I have 10 children and have had something going on in my life and I was off track, but I have 100% intention to do the best I can. There are still some tenants over there that live there and have no problems, everything is good. It is just a few things that I need to take care of. It is nothing major, major things.

Mayor commented it appears according to public record that you have owned the building since 2006. It also appears on public record that 2015, 2016 and 2017 you didn't pay your Village taxes. 2016, 2017 and 2018 you didn't pay the Town and County taxes. 2015, 2016 and 2017 you didn't pay your school taxes. Sewer bills are never paid they are always releived. Water bills we know are a constant issue, they are always releived. Again, why should we think that you are going to do anything to fix this building?

Mr. Mendlovic replied with all due respect I understand. I am trying to explain. Maybe I am wrong, but I understand the issues you said about taxes, water and all those things, but after all it is totally two different issues, yes. So I basically will have to pay it or the bank. Someone has to pay it. It is not an issue that is going to go away. Obviously if I don't pay it I am going to lose the building. We know that, correct. That is a side issue I have to take care of. Either way it is not something that I can neglect for years, it is going to happen. The Government doesn't just let you not pay it, correct?

Mayor responded sooner or later the County will take it.

Mr. Mendlovic replied obviously that is not our issue in making this that the people have a safe place to live there and to that I am willing to do anything and everything that is needed to bring it. You asked me how you are going to know. All I am asking is give me a little time and I will work with him hand by hand. I will go apartment by apartment to make sure everything is good. I have been doing the real estate business and apartments I am very good in it. I have been doing it for over 20 years. I know how to handle things like this and it is not like I am not in it. We have five tenants and one tenant how actually has been living there for years and for years is a happy tenant over there. You are welcome to ask him. I am trying to be on top of stuff. Not paying that is a separate issue that I am going through financially, but one way or the other I am going to have to settle it. I am working with the bank to figure out how to do that, but for the main thing is as far as the safety I am willing to make sure everything is good.

Mayor stated you are collecting rent and not paying your taxes, water bill or any of this stuff. I don't see any reason why we should believe that you are going to move forward and take care of this. You haven't responded in the past to letters. The Building Inspector has sent letters in the past and they have been ignored. The only thing that got your attention was this.

Mr. Mendlovic replied I just told you I had something and I have dealt many times in the past years and fixed many things. It is not like I ignored all. Now I have a situation for a few months and I know it and I am agreeing that I was a little ignorant, but I am here and I want to do the best I can. Money wise you are saying I am collecting and not paying. I am asking you business wise why does that make a difference in regards to what we want to accomplish to have safe apartments and everything. We should be good because I am going to get hit with it one way or another, correct? If I am not taking steps to take care of the taxes, I am going to lose it, correct? So if I lose it I lose it, but I am saying for the moment that

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is not the issue here, correct? One thing we all agree is that I want to make money correct? Everybody agree to that.

Mayor replied I don't doubt that.

Mr. Mendlovic stated if I don't take care of the safety issues that it should be habitually normal I am not going to make the money. I am going to lose the money, correct? So that is the biggest thing I want to continue getting money and I will do everything to do this. I know how to do that. I have been doing it for years and I will do the best I can. All I'm asking is to give me a little time and I will work with the Building Inspector to take steps to prevent everything and make everything look good to be habitual. I don't think looking at this stuff, I looked at it quickly, that anything is like critical things, but maybe you can point me out something, but I didn't see anything major.

Mayor responded that major thing is that everything gets ignored and you have a history of ignoring it.

Mr. Mendlovic replied I agree with it.

Mr. Hager responded we haven't evaluated the whole building. I only got into two apartments. We really need to look at the other apartments and the rest of the building. I am assuming the others are in the same condition and you may get similar violations. You need to get me access to the building. You are here to explain your situation and the Board needs to hear that of course, but the Board has to make a decision if they are going to pursue other action. So I don't think they are going to give you an answer tonight of yes or no. I think my recommendation to you would be get me something in writing stating your intentions and schedule an inspection so I can look at the rest of that building. In the meantime one apartment has been looked at and I am comfortable that the tenant is safe for the time being in that apartment. The other apartment I been into I had to post unsafe to occupy because of issues. The others I don't really know about. We are not talking about facts right now.

Mr. Mendlovic stated it was an elderly woman who was living there, that I had to beg for her time, in working with her. I was not able to so I didn't have access.

Mr. Hager replied structurally the roof is obviously in bad shape from inside the building. There was a report of leaking in the building and that was verified in the apartment that I was able to get into. You're saying there are no signs of a major issue in the building. Well the roof is a major issue.

Mr. Mendlovic replied to my knowledge I did not have one complaint.

Mr. Hager responded it was verified by me that you have problems.

Mr. Mendlovic stated I don't think he would be living there if water was coming in.

Mr. Hager replied maybe the water is by passing his apartment and going down to the lower levels. I would have to see that water damage in the lower levels.

Mr. Mendlovic responded with respect they make their decision, but I am saying we should go one by one with the apartments and make sure everything looks good and I take care of this when you approve it. If you are going to call me and say you have to do everything in one minute I can't financially do it. I will do everything it takes.

Mr. Hager stated I want you to understand once we get inside the rest of the building I may have no chose but to post the other apartments unsafe to occupy.

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Mr. Mendlovic replied I am telling you that is not the case.

Mr. Hager responded we will have to verify that. So far I can't verify that.

Mayor stated Mr. Hager will make that determination when you get him access to the building. Right now I am going to request a motion to take a brief executive session to meet with the attorney to discuss this.

MOTION was made by Trustee Farrell to enter into executive session.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

MOTION was made by Trustee Daly to reconvene the regular session at 8:11 pm.

Mayor stated Mr. Hager will present his information on 2 Maple Avenue.

Mr. Hager stated when it comes to apartment 1A which I inspected back in fall of last year, I found quite a few violations there that that apartment is not allowed to be occupied at this time. The other four apartments in the building had not been inspected at that time. I was able to get access to one apartment later by asking the tenants if they would allow me in. That one I found there had a working smoking and CO detectors so I did not post that one. I haven't been able to get into the other apartment that is currently occupied. I would like to get into it right away because I want to make sure the tenants there have the basic safety items. That is critical that I get in there right away. He read the deficiencies including the violations in his memo dated April 4, 2018 to the Board as follows:

The Building is unsecure, apartment 1a has no functioning smoke alarms, the basement area has no smoke alarms, apartment one 1a has no CO alarms, the exterior and interior doors do not adequately indicate the 911 address number for emergency responders, the exterior stairs to the entrance to apartment 1a and second floor apartments is in disrepair, the common hallway serving apt 1a and the second floor apartments has nonfunctional lighting, the roof is in poorly deteriorating condition, severe leaking in apt 1a bedroom and basement area below, soffits and fascia's also deteriorated and openings allowing birds and rodents to enter building, vertical plumbing drain in common hallway serving apt 1a and the second floor apartments is deteriorating and leaking, basement sewer piping is improperly repaired and is leaking, weed overgrowth present in yards, tree leaning on roof. Excess buildup of dead leaves on premises and on flat roof portion of building and unregistered vehicle in front parking area. As I mentioned the one apartment has been posted Danger unsafe to occupy. The recommendation that I have given the conditions and the previous lack of action by the owner/owners/management considering the fact that I have seen that the property taxes and fees have not been paid I felt that the Village should strongly consider taking action. I would like the Village to authorize hiring a professional architect to evaluate the building. If the condition of that building is evaluated and the results of the evaluation end up being that the building is unlikely able to be repaired then it is my recommendation that the Board pursue demolition of removal and one of the reasons for that is because of close proximity to the neighboring structures. I don't feel that the building should be allowed to be remaining in the current condition or worse in an un-abandoned state for a long period of time any possibly of a fire there can impact neighboring properties/homes. I think the appropriate action would be to authorize having a professional accompanying me to the premises to look at the property and give us their professional opinion and evaluation on the building. The owner can of course have his professionals do the same and will come up with the proper action for the building is. It cannot continue with the state it is in. Any consideration given to the current owner to make improvements has to be on a very strict time schedule. Number one with this initial inspection is most important to make sure the tenants that are occupying it now are at least minimally in compliance with safety. That has to happen right away. Once we get through the rest of the building and we get the architects evaluation then we will be better repaired to know exactly how much action needs to be taken and in what kind of a schedule needs to be taken along.

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Attorney Darwin responded I would like to make the following as a part of the hearing that there was in April 4, 2018 a memorandum from Mr. Hager to the Mayor and the Board. The Hearing Notice dated March 21, 2018, Violation #17-0068, 2 Maple Avenue and the copy of the hearing notice, a notice of violation and order to remedy dated March 21, 2018 addressed to Mr. Mendlovic, a copy of a notice that was posted February 14, 2018 on/in the building, a notice of Violation and Order to Remedy dated September 27, 2017 and three pages of photographs of the building.

Mr. Hager replied there is one additional violation and order of remedy that was posted on February 14, 2018.

Mayor stated all of that is part of the official record.

MOTION was made by Trustee Chichester to authorize the Building Inspector to contact a licensed architect to assist him in making a determination of the building conditions.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Mayor continued stating the Building Inspector needs to have access prior to this Friday to the rest of the building to assure the safety of those residents that are there. Failure to comply with that will result in additional violations. Do you understand that? The other issue that we would have to do is the Board would have to vote to continue this hearing to the May 8, 2018 meeting. Hopefully by that time the Building Inspector and Architect would have the opportunity to go through the building and make a final determination as to what needs to be done and if it is the case if it needs to be posted or any of the portions of the building need to be posted at that point in time they will do so. If they come across grave violations that make it uninhabitable, but we will have to continue the hearing to get whatever reports are available at that time.

MOTION was made by Trustee Daly to approve continuing the hearing to the May 8, 2018 meeting.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Mr. James Coleman of 4 Maple Avenue asked I would like to know of any other violations on trash that keeps coming on to my property. There is a bedframe that has been there for over six months that keeps leaning over that can hit one of our cars in the driveway which I keep pushing back and it keeps getting pushed back over. There is a piece of furniture that is large that is leaning up against the fence which borders my property. It has been there for several months does this fall under the absentee landlord obligation to have these properties cleared out. I am assuming it is left by a previous tenant.

Mayor responded this would all be under the property and maintenance law.

Mr. Hager commented those items have been identified in the violation already.

Mr. Coleman replied we have a car that has been out in front for a good six months now with no registration.

Mayor responded that is identified.

Mr. Coleman replied thank you. I would like these other matters, if I may request that they be taken care of immediately. They are affecting my property. I have lived at that property for eight years and I have never seen one single repair every being done on the exterior of the building. There are doors collapsing down that the frame and structure of the house can no longer support. These are constant eye saws to my

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property, the property that I put my blood, sweat, tears, my children and everything in my family into and to see that next door. I want due process to be taken care of at this point.

Mayor stated this will continue on May 8, 2018 at the School across the street at that time number 12 Church Street.

SCHEDULE PUBLIC HEARING

Mayor stated we need to schedule a Public Hearing for May 8, 2018 at 7:25pm for Local Law #5 and that would be to repeal Local Law #1 2% Tax Levy.

MOTION was made by Trustee Daly to approve scheduling a public hearing for May 8, 2018 at 7:25pm.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Daly	

BUDGET TRANSFERS

Mayor stated we have a memo from the Village Treasurer dated April 10, 2018 with Budget Transfers.

MOTION was made by Trustee Chichester to approve the Budget Transfers in the April 10 memo.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Daly	

BUDGET MODIFICATION

Mayor stated this is in regard to the \$150,000 we have received from Mercedes and the distribution of it.

MOTION was made by Trustee Chichester to accept the Budget Modification as outlined in a memo dated April 10, 2018 from the Village Treasurer.

SECOND was made by Trustee Daly

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Daly	

ATTORNEY REPORT

Mayor stated regarding the proposed zoning code changes. Can we schedule a public hearing for the next meeting on that?

Attorney Darwin replied for the Local Law yes.

Mayor stated that will be Local Law #6 on Zoning Amendments for 7:15pm.

MOTION was made by Trustee Daly to approve scheduling a public hearing for May 8, 2018 at 7:15pm.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Daly	

Mayor continues I will not get into discussing them tonight. The updates were given to the Board today, so they will have a chance to review them. I will invite Kristen O'Donnell from Lanc & Tully's Office to go through any of the questions because there are several definitions added and we can't refer it to the County until such time as we have gone through them all.

Attorney Darwin replied you would typically send to the County a copy of the proposed Local Law, the Environmental Assessment Form (SEQRA) so that will have to be done unless there is a provision in the

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239m that allows the Village and the County to confer to some other materials that are satisfied in lewd of those items but typically that is what they would want to have. The Board would want to tonight adopt a resolution declaring itself lead agency for SEQRA and preliminarily typing this as an unlisted action although depending on the scope of the changes it might be a type one action, but I think it will probably be an unlisted action. The Town Engineer will help us out with that.

MOTION was made by Trustee Chichester to adopt a resolution declaring lead agency for SEQRA and unlisted action for the Zoning changes.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Mayor asked notices will have to be sent to the surrounded Municipalities?

Attorney Darwin replied no it is not a coordinated review.

Mayor stated so the only one to get notified is the County through the 239?

Attorney replied correct.

Mayor stated the Building Inspector has done a lot of work on this coming up with several recommendations. Did you ever hear back from ABS Environmental involving the asbestos?

Attorney replied I sent them the contract and haven't heard back from them yet. I will follow up with them.

Mayor asked have you had an opportunity to look any further into the issue with the Town Assessors?

Attorney Darwin replied I have but I don't have an answer yet. I compared the exemptions between the two Towns and they are different they are not the same. So it makes matters a little more complicated. There was that opinion from the State that suggested that the Village still maintains the ability to adopt its own exemptions, but I still need to investigate that issue a little further. I don't have a clear answer.

Mayor stated I don't know if I sent this to you or not, this is from 1977 regarding the assessment rolls.

Attorney replied the one you sent me was from 80 something. I haven't seen this one.

Mayor stated the Cable Franchise Agreement with Frontier Communications has been back and forth and Deputy Mayor, myself and Village Attorney sat on a conference call with the attorney for Frontier a few weeks ago and David you since have been in contact a few times and modified the language where there were just a few changes now that I gave the Board tonight and you believe that all of our issues have now been addressed satisfactorily?

Attorney replied yes.

Mayor stated it is up to the Village Board if you want to take action on this. I believe this will go to PSC for further review before anything will take place.

Attorney replied correct.

MOTION was made by Trustee Farrell to accept the Cable Franchise Agreement with Frontier Communications.

SECOND was made by Trustee Chichester

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AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Mayor stated it will give competition for Optimum. It is still far from a done deal. Once it goes to the State I don't know how long it will take.

PUBLIC COMMENT

James Coleman - 4 Maple Avenue commented I would like, if you can explain about the Heritage Trail, is it going to be open for bike usage and be paved from River Road all the way into the rest of the trail?

Mayor replied that is the Counties plan.

Mr. Coleman asked it is not available at this time?

Mayor replied only if your bike has wings. Unfortunately last fall the County had dropped the ball on the access. As soon as you turn off of River Road on to Bailey Farm Road on the left hand side there is a grassy area that is going to be turned into parking and there is going to be a walkway that goes up past are well house there and then where the trees were just cut down that is going to be paved, fences, gated off so the vehicles can't get in and it will be paved right back to the trail without going through the parking lot of Superior Pack. They are working out getting the final approvals because part of it will go on Superior Packs property. The part that goes on the Village property is not an issue. So hopefully in the next month or two it will be finished. They had to get the trees cut before the March deadline because of the DEC regulations. The property owner signed right on to let them go in there. He has agreed in principal to let them put this walkway across his property as long as it is fenced.

Mr. Coleman asked do you think by summer it will be paved?

Mayor replied that is their plan. The only thing holding it up is attorneys right now.

Mr. Coleman asked so when you are on the road where Mr. Cones use to be I noticed it is paved by that bridge now, it wasn't last year.

Mayor replied that was paved when it was paved to Harriman.

Mr. Coleman asked would I be able to pick it up at Harriman at this point or some point to continue on into Monroe and Chester?

Mayor replied this will get you on to it when this opens. It is paved to the River basically and fenced off there because of the situation with the bridge. You will be able to go on right from there up to Goshen.

Mr. Coleman responded thank you.

MOTION was made by Trustee Chichester to enter into Executive Session for Attorney Client Privilege and a litigation issue.

SECOND was made by Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

At this time the Village Clerk was excused from the meeting.

The following was given by Mayor Welle:

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Executive Session with David Darwin, Esq. and Building Inspector, John Hager.

MOTION was made by Deputy Mayor Farrell to adjourn Executive Session and return to the Regular Session.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

MOTION was made by Trustee Chichester to rescind his motion from the March 13 meeting with regard to terminating participation in the Kiryas Joel Annexation.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

MOTION was made by Trustee Daly to adjourn Regular meeting at 9:20pm.

SECOND was made by Deputy Mayor Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Respectfully submitted by: _____
Jane Leake, Village Clerk