

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 1

6:45pm – AUDIT BILLS

7:25pm - PUBLIC HEARING – Local Law #4 – BFR

7:30pm – REGULAR MEETING

PUBLIC HEARING

NOTICE OF PUBLIC HEARING – Mayor Read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing applicable to a proposed local law entitled “Amendment to Village Code § 132-38, Article VI, Schedule IV, Schedule of One Way Streets: Proposed Local Law # 4 of 2018”: at the Harriman Village Hall located at 1 Church Street, Harriman, New York, on March 13, 2018 at 7:25 pm.

This local law, if adopted, will designate Bailey Farm Road in the Village of Harriman as a one-way street in a northerly direction from its intersection with Melody Lane to the Town of Monroe town line. This section of Bailey Farm Road is currently a two-way street. The proposed local law amends said Article VI, Schedule IV by adding to the Schedule the aforesaid section of Bailey Farm Road as a one-way street. The proposed local law will also amend Schedule IV by adding columns under which the location of designated one-way streets, and the placement of signs, will be indicated.

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.

The Mayor asked have we received any written correspondence?

Ms. Leake replied no.

Mr. Charito asked which direction are they planning on opening?

Mayor replied toward Target.

Mr. Charito stated so no traffic into the Village, great in my opinion.

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

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

REGULAR MEETING

ROLL CALL

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

ABSENT: None

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 February 13, 2018 Regular Board Meeting.

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 2

MOTION was made by Trustee Borowski to accept the minutes of February 13, 2018 Regular Board Meeting.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Budget Workshop Minutes of February 13, 20, 27 and March 6, 2018

MOTION was made by Trustee Chichester to accept the minutes of February 13, 2018 Regular Board Meeting.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Trustee Farrell abstained from approving the February 27, 2018 minutes being she was absent.

INFORMATIONAL ITEMS:

This evening's bills were audited:

Trust & Agency	\$ 2,661.00
General Fund	\$ 148,816.35
Water Fund	\$ 57,349.74

- Upcoming Meeting Dates:
ZBA – April 4, 2018
Planning Board – April 16, 2018
Village Board – April 10, 2018
Annual Organizational – April 3, 2018 7PM

Attorney Dave Darwin arrived.

Last year's Reorganization it stated that the Public Hearing was going to be this evening on the 2018-2019 Budget. Being there was a lot going on we did not get there yet so later this evening we will need to schedule a Public Hearing for the next Board meeting on the Budget.

- Brush Policy – brush be put at edge or property with butt end out. For tree limbs and branches only.
- Parking Restrictions - due to snow Section 132.15 there is no overnight parking from November 1st to April 1st 11pm – 6am. Section 132-27.1 no parking at all on the streets after 2" of snow until the roads have been cleared.
- Orange & Rockland has requested that people keep their gas meters and regulators free of snow and ice.
- School Supply Drive – continues. In May and the beginning of June as the school year end there is a lot of things the kids have that are still in very good shape or not used at all that other students could benefit from.

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 3

- Food Drive – continues through the end of March. Bring to Village Hall or if out of hours it may be brought to the Police Station.
- Monroe Clean Sweep – Saturday, April 21 8am – Noon starting at St. Anastasia. We will do Route 17M from 208 to the intersection with Route 17 by the Mobile Station across from Silver Maples. All help will be greatly appreciated. We will also have a paper shredding truck that morning for anybody who has documents that they want shredded. There will be no charge to the Public
- Snow Storms – unfortunately we have had a lot as everyone know and they haven't been nice. People have complained that their mailboxes got knocked over. Unfortunately it is part of living in New York in the winter. 99% of the mailboxes that get knocked over are knocked over by the weight of the snow not by the truck or intentionally. There is an opinion from the attorney general that we are not responsible for mailboxes, therefore unless we physically hit them by accident the Village has the policy for years of not replacing them.
- NYS Department of Health – after the scare in Newburg a little over a year ago with the PFOS and PFOA they have been around testing various water supplies including ours and we received a letter dated February 27, 2018 based on the results of the PFOS and PFOA and select suite of volatile organic compounds analysis your water is acceptable for drinking. We are below the threshold. It will be in the Annual Quality Water Report.
- ADDITIONS
 - 10a) Water Account 188
 - 14a) Budget Transfers
 - 15a) Building Inspector Request
- As of this time it appears of a tentative date of April 19 and 20 that the Village Hall will be closed for moving to temporary quarters which will be over at the School. It depends on several things including the school. We are getting closer but we have a lot of work to do between now and then to get ready. Hopefully we will have everything done and if not it gives us the weekend to do whatever is necessary to open up on that Monday morning.
- Community Development – it is that time of the year when they solicit. Unfortunately or fortunately the Village does not qualify as a whole due to the salaries. There is no pockets of neighborhoods in the Village that are under the income levels that generate community development projects, but individuals who meet the salary/income thresholds can still apply and get 0% and low percent loans for various things with their homes.
- We have Planning Board and Zoning Board of Appeals openings. Anyone interested ask that you send a letter to Village Hall stating your intent to be on either Board or interest in finding out more about them.

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report - \$45.00 in funds

Water Account Adjustments – see attached report - Water Bills – \$335,326.11

Court Reports – see attached reports - January - \$9,316 Village received - \$5,200.00

Building Department – see attached report

\$ 90.00	Building Permits
\$ 300.00	Violation Searches
\$ 390.00	Total

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 4

LOCAL LAW #3 &4 -2018

Mayor stated in 2017 we had a Local Law #5 that was adopted December 12, 2017. As with all Local Laws they have to go to the NYS Department of State and they claim they did not receive it until January so they can't call it a Local Law of 2017 because they received it in January so we had to renumber it and call it Local Law even though we adopted it is 2017. That was done so any records you have referring to Local Law #5 2017 is now Local Law #3 2018.

LOCAL LAW #4 2018

Mayor stated Local Law #4 regarding Bailey Farm Road Public Hearing was held and there were no written comments, there was one verbal comment.

MOTION was made by Trustee Chichester to adopt the Local Law #4.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

The Mayor continued it has been long time coming and as soon as we get a couple of warm dry days the stripping can be done. All the signage is up, curbing has been repaired. The trees that we have been waiting to have removed have been removed and the one way will be enforced.

Also it appears that the end of Melody Lane past Brookside that section is now called Mercedes Way. Woodbury adopted that. That appears to be opened. The gate is up. I know we haven't received any of the remotes for it to my knowledge for the Police of DPW and the Police will also be enforcing the fact that you can't come back that way. It is one way going out toward Larkin.

3,200,000 PUBLIC IMPROVEMENT SERIAL BONDS

Mayor stated on February 15 we got the \$3,200,000 Public Improvement Serial Bond for a 2.98% interest rate for a 20 year time frame. This is the money for the new construction.

USDA AGREEMENT – Geese Control

Mayor stated we have the annual agreement with the United States Department of Agriculture regarding the geese down at Mary Harriman Park. It is the same price of \$5,414.00 and this is basically to cover their cost of coming and oiling eggs, etc. to try and limit the geese population.

MOTION was made by Trustee Daly to authorize Mayor to sign USDA Agreement.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

BALLFIELD REQUESTS

Mayor stated we have two requests, one from Monroe Woodbury Little League and the other from the group of Fireman that used the field last year. Little League has insurance. Talked about the ball clay and I know they ordered new protective for the top of the fence. Toilet will be provided there.

Mayor asked do you have an issued Mike with the Fireman using Field 1 Sundays from 4-6pm?

Mr. Charito replied it is quite alright we will work with any schedule to make it available to them.

Mayor stated okay then the Fireman will have it from April 1 to the end of August.

MOTION was made by Trustee Farrell to approve the park requests

SECOND was made by Trustee Chichester

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 5

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Mayor continued thank you for your (Mr. Charito) assistance with the Fields we appreciate it.

Mr. Charito replied I appreciate the relationship. We tripled the insurance to 3 million. We wanted to make sure you were aware and any time there are any issues down at the field for infrastructure improvements we would be more than happy to have a great working relationship. We approved the funds in ordering on Sunday night and the material will be delivered directly to his department but we will notify him in advance so someone can be there to sign for it. In the interim from when I have generated the letter we had several teams that won all stars so we had additional signage like we have done in the past. So would like to make that request also if those signs can also be placed exactly to the same criteria that was proved in the past (size, font, coloring, etc.). When I can put it together for a date when all mutual parties who participated in the All Stars and have won we would like to consider getting a permit for the Pavilion and possibly doing a pizza party for the kids and for a photo opportunity to highlight the fact that we had this great event. Do you need something in writing?

Mayor stated if the signs are the same that they have been in the past in terms of size and stuff just check with John Mulligan.

Mr. Charito replied it will be actually identical so nothing will stand off unusual.

Trustee Chichester asked new members of the league would you make sure the coaches or yourself reminds them where the legal parking is so we don't have cars on Route 32.

Mr. Charito replied yes it is quite interesting now that people tend to pull up when they are grabbing kids for Religious Instruction and things like that.

Trustee Chichester stated it is dangerous and I don't know that they realize it.

Mr. Charito responded we had a rules meeting and I actually went out of my way to all the drafts here to contribute to our local sponsor. They were brought in in small groups so we had question and answer session and we went over rules and field protocol. Proper parking speed, signage, open and closing protocols and if they discover something that is erroneously broken or dangerous that it is identified right away so I can notify the Parks Department. We also talked about the issue of pulling up outside there because there is that little bit of inlet. We do communicate that well in advance. No equipment will be distributed to any teams until I receive official notification that the fields are actually opened so if you happen to see someone however it would be fantastic if I received a phone call letting me know if someone did violate the policy because we do have a disciplinary Board for that. We obviously want to do what is best for the safety and minimize the impact of grooming the fields.

Mayor stated you can go through that with John and he will let you know when they are ready to be used.

Trustee Borowski asked John did you have any plans in doing the extended screen on VFW because we all know that you probably lose a lot of money in foul balls.

Mr. Charito replied we went back and forth to try and find way to minimize the impact to that because the balls are about \$69 for a dozen and I am also upset from the fact that I don't want them laying there in the wetlands because I think it is not an environmental good thing. What we found is that for the back stop itself the gauge of material that was previously installed is not permissible for a larger amount of weight load. It doesn't have the capacity to hold it. So what we were exploring was an opportunity to put netting

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 6

behind that section but we discovered the netting over the top again was a weight issue and it would have to be taken up and down which is not budgeting for. A back stop is very expensive. We thought about across the first base side because that tends to be where you lose the most for over throws, putting up an extension of fence panel which is existing already there and tying in and running further down or try and connect something to the existing fencing going up with another 4' section. A question was should it be netting or actually galvanized material so it is something that I am more than will to explore with you what is most appropriate that could be installed there and then the question of course was when we investigated it we asked a fellow fence company to come down and give us estimates and they were astronomical and I can't rely on this gentleman's department to pull that out of his budget to take time to do those things, but I am more than willing to donate material and I can ask a work party to come down and help, but I'm not sure if that becomes a Union or Insurance issue to do the work, but we are opened mined to how we can try and minimize that impact. We actually have an equally situation on all the fields. That has been a concern and luckily we have not had an incident so that is one of the reasons why I chose to increase the insurance policies to be proactive, but there is nothing to attach the netting. I would have to have permission from O&R to connect to the poles because you basically need like golf course netting for that kind of height to prevent a straight wall. That was my original concern having adults playing softball there, but I don't think that is going to be much more of an impact then a 15 year old kid and everyone should have the opportunity to use the field so we are supportive of anybody of maximum opportunities especially tax payers so we try not to schedule every day of the week and we want to find way to minimize costs for the league and insurance risks for the Town. If you want to come up with a suggestion for me I can fun raise and try to find ways to contribute.

Trustee Borowski replied I was just curious and I know it is more for the leagues benefit more than anything and the kids and the cost, but I know it has been a discussion for years and you wanted to do it but it is complicated.

Mr. Charito stated there is a lot of growth and bushes behind the back stop where we lose a lot of balls and I am not sure if it is something we can do with cooperation by cutting some of it back so we can get in there and get the balls out.

Mayor responded talk to John about that.

DPW TRAINING REQUESTS

Hudson Valley Water Works, Wednesday, April 11 for two employees at \$30.00 each.

MOTION was made by Trustee Chichester to approve the training request.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

Hudson Valley Water Works, Wednesday, June 13 no cost one employee

MOTION was made by Trustee Daly to approve the training request

SECOND was made by Trustee Chichester

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

Trustee Farrell asked John can you please put back up information on what it is about behind these requests when you submit them?

Mr. Mulligan replied yes.

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 7

WATER ACCOUNTS

Accounts:

794 – When presented to the Board at the last meeting at that time I did not realize that this is a new customer at that address. This is a first time request from them.

MOTION was made by Trustee Chichester to approve the one-time penalty waiver

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

188 – Waiver Request – had penalties in the past

DENIED for LACK OF MOTION

2018 – 2019 BUDGET PUBLIC HEARING

Mayor stated we need to schedule a Public Hearing for 2018-2019 Budget on April 10 at 7:15pm.

MOTION was made by Trustee Chichester to approve scheduling the Budget Public Hearing.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

MONROE JOINT FIRE DISTRICT

Mayor stated we accepted the terms of the \$2500.00 per month rent until they are out of here. The Board hadn't voted on it but I sent it to them as a proposal. The Board would have to agree to this this evening along with the fact that we would be notifying them that we cannot guarantee any space here after the end of April

MOTION was made by Trustee Daly to accept the \$2500.00 a month rent until the end of April.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

FEBRUARY 2018 WATER BILLS

Mayor stated we had numerous computer issues in the month of February and then March 2nd snow storm and March 7th snow storm due to that it is my recommendation that the penalties for the February 2018 water bills are not applied to any water bill that is paid by the close of business on Friday, March 9, 2018.

MOTION was made by Trustee Farrell to approve penalties not being applied until after the close of business on Friday, March 9, 2018.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

BUDGET AMENDMENTS

Treasurer's memo of March 8, 2018 regarding the grant money of \$250,000 for the sweeper, insurance recovery of \$30,117.80 and a JCAP Grant of \$17,322.42 has to be revenue shown and an expense line for each of these.

MOTION was made by Trustee Chichester to approve the Budget Amendments as stated.

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 8

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

DEBT REDUCTION

Money that has been owed from the Water Fund to the General Fund. We did receive a Capital Contribution from Mercedes in the amount of \$150,000.00. We will use this to pay down the debt and to clear up an \$86,000.00 issue that has been on the books for several years and also pay an additional \$40,000.00 on the \$200,000.00 loan that the General Fund made to the Water Fund three years ago. Regarding Outstanding Liability of \$129,399.93 – use \$86,511 from Water Fund to General Fund to clear outstanding Liability and reduce the General Fund by \$42,888.93 clearing the remaining balance from the due to due froms.

MOTION was made by Trustee Daly to approve the debit reductions as stated.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

RESIDUAL BOND PROCEEDS

On the Bond that was taken out September 2017, this was for the Telemetry System the surplus funds which have to be used for the Telemetry or repay the bond. The Treasurer is recommending that we use \$11,000.00 toward the 2018-2019 fiscal year and divide the remaining proceeds over the next five years to pay on the loan unless extenuating circumstances arise which prohibit this.

MOTION was made by Trustee Chichester to approve the Residual Bond Proceeds as stated.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

BUDGET TRANSFERS

Involving Police Longevity and Snow Removal Contractual and Personnel and some in the Water Fund and Source of Supply Contractual. Budget transfers outlined by the Treasurer dated March 13, 2018.

MOTION was made by Trustee Farrell to approve the Budget Transfers outlined by the Treasurer.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

NEW STREET LIGHTS

Mayor stated the entrance to the school off of Church Street is extremely dark and Orange & Rockland has proposed two 35watt LEDs. One over the street and one directed towards the exit. The cost is \$241.68 per year plus energy and fuel adjustment charges.

MOTION was made by Trustee Chichester to authorizing the Mayor to sign application.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 9

BUILDING INSPECTOR REQUEST

31st Annual Hudson Valley CEO Education Conference training April 18 – 20 at \$300.00

MOTION was made by Trustee Farrell to approve the training request.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

ATTORNEY REPORT

Mayor asked on Bailey Farm Road deeds were filed with the County, will we get a copy of something or should we get a copy?

Attorney Darwin replied once it is recorded it will probably be mailed to my

Mayor replied okay just so we have it in our record.

Mayor stated we had a conference call with Frontier the other day regarding their proposal to put cable TV out. I am assuming you haven't gotten any more information back.

Attorney Darwin replied not from Frontier. I did call a gentleman named Peter McGowan. He is the Chief Policy Advisor for the Office of the Policy of Legal Affairs for Public Service Commission and informed him what the issue was and he told me a similar issue had come up in a couple of Municipalities which he thought were on Long Island. As far as the process if there was going to be, if Cablevision was going to have an issue that issue would be brought to the Public Service Commission and resolved in the contents of their meetings. One of the possible we had talked about in the conference call with Peter Glenn and there making a contribution on a prorata bases based on a number of subscribers and Mr. McGowan suggested that might be the way that this will be resolved before the Public Service Commission. He referred me to another attorney in the office who is a little more familiar with those other Municipalities and he is going to send me the case number for those cases so I can see how they were handled in that contents. I sent Glenn an email today asking for him to send me some proposed language for a prorata contribution. There is also a clause in the Cablevision contract. I had focused on it before but it says that for the \$9500.00 that those funds would only be used for a PEG Capital Access Report for the sole benefit for the franchises subscribers. They talked about sharing the equipment so that brings up another issue and my email to Peter Glenn I brought that to his attention too and asked for some feedback on that as well.

Mayor asked did you hear anything else back to from the school Attorney?

Attorney Darwin replied she and I spoke today and she was going to work on that, she is in Florida on vacation and her office is closed because of the snow – her office is on Long Island. Someone sent her; her notes and draft of the agreement and she is working on it today. I pressed upon her the urgency and the sincere desire of this Board if at all possible to have something before the School District Board tomorrow to vote on and she said she will do everything she could to make that happen, but there is no guarantee their going to have it by tomorrow which means it will be another week. I did ask her to send me a draft on what she is working on as well and as of 6:30 -7pm tonight I haven't received anything.

Attorney Darwin replied we heard back with respect to the changes in the Cable Franchise Agreement

PUBLIC COMMENT

Jim & Terry Coleman - 4 Maple Avenue

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 10

Mr. Coleman stated I was here at last month's meeting regarding the property at 2 Maple Avenue and was wondering if there has been any progress moving forward to what is going on. We noticed an increase of questionable traffic in and out of the building of people that I don't believe are residents and it has become quite a bit suspicious activity going on and one family member had seen someone with surveyor equipment so I didn't know if anything has been put forward as far as either improvements or demolition the building or if any steps have been taken toward other occupants of the house being notified for proper inspection to deem the building is inhabitable or not?

Mr. Hager responded we are not involved with anything going on with the surveying that is independent. The owner of the property has not responded to the Notices of Violation. He did acknowledge receipt of it. We did get the Certified Mailed Receipt back. I was able to get access to one of the upstairs apartment which I did find it in acceptable condition for them to continue to occupy it for now. The other occupant has not taken up my offer to inspect the space. So that is where we are at it for now. The next step is to send out a next notice that they have failed to remedy the situation which will go to the owner. I don't expect any more cooperation then what we got for the first notice and then I think at that point we would probably have the building evaluated by the Village's Engineer and go from that. We will see what kind of recommendation we will get from the Village's Engineer.

Mayor asked how long from when you send this notice out does the owner have to respond to this one?

Mr. Hager replied I can kind of set that. We will probably include the first thing is we need to determine how many of the apartments are unsafe. One I am sure of and then we can post that and try to get access to the rest. Eventually I think the whole building will be unsafe and then there may have to be some action taken if we don't get a response from the owner. So we may have to do a temporary board up or something so it is not occupied and then I would think at that point you may want to call in the Village's Engineer to accompany me in doing an evaluation of the building and then get a recommendation from the Engineer on how to proceed and then the Board would have to decide if action is desired and I think Dave would have to get involved if we are going to go for a County Court Order. It is preempted to say demolition work. The fact is this buildings cost of restoring the building is probably excessive so there will be a process for that and at some point if the building is not going to be repaired it will have to be a decision of whether to take it down. We will probably include a hearing date with it. I'll have to look at the Code to whether it is 10 – 15 days minimum. I will get the notice out tomorrow for a two week notice. If he takes this opportunity to appear then we would have to set a hearing date which would probably be the next meeting and I guess it is possible he would appear and try to make an arrangement to try to salvage the building. That would be on him he would have to produce his own professionals opinions.

Mayor stated you will get this next notice out and we will proceed from there.

Mr. Hager replied the goal is to try to get it out so that the time frame works for the next meeting.

Trustee Borowski asked when you send that second notice out what is the expiration of that notice?

Mr. Hager replied that is kind of set up so if he is going to try to come and explain himself at a hearing the hearing date is set for your regular meeting date so his deadline is within that in the code. I would have to verify that for that date. So we have to kind of wait and see if anyone shows up. The only apartment that I have been into that I have actually witnessed conditions that I know that are not safe or habitable is one apartment that is currently occupied. What I told by the other occupant is that only two of the five are occupied currently. The other I did speak to one of the occupants but he did not grant me access to it. He claimed it is in a lot better shape than the one I declared unsafe, but that is only hear say.

Mayor stated so you will get that out.

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

March 13, 2018

Page 11

Mr. Hager replied yes.

Mayor replied we will continue the process.

Mr. Coleman responded we also saw back in early February that there was a notice of much delinquency in taxes and therefore foreclosure was due to take place as of February 28th. It blew onto our property and we were looking at it and called up and they said is that within your knowledge or with the County?

Mayor replied with the County.

Trustee Chichester stated you mentioned questionable activity, I am assuming that means illegal activity, did you call the police and if not our police chief is sitting right here and maybe we could help you in that regard.

Mr. Coleman responded you guys are right there too and you see more activity.

Chief Henderson stated not to speak about any investigations we don't have anything active going on now. We also don't have a window out in front of that Police Station that we can sit and monitor. We have one patrol that goes around so for us to see anything different then what is going on we would have to be called and notified so if you see something suspicious going on call. One thing it could be that people are just coming in and out of there during the normal course of business. If there is something illegal going on by all means call and our guys will respond over there or at least check the people out. We can't just go in and search them without probable cause. We can at least question them and see what is going on. We need the public's help too. If you call us my guys will do an investigation.

Trustee Chichester responded a call creates a record and now you have a record so that is a suggestion for you.

Trustee Borowski stated it is frustrating and you know John is following the processes and there is a process. Don't think we are not supportive.

Mr. Coleman replied I understand. I know there are limits. They have rights too and of course they do. When will we know about the hearing?

Mr. Hager stated it will be posted on the building so it is public knowledge. The idea is so the tenants will know and may have something to add to the discussion. The hearing is also for the Board to determine what there next step of action is that will be based a lot on what the Engineers recommendation is. The Building to me is not in any kind of imminent danger of collapse or anything like that so it is a little harder. The Engineer is going to have to evaluate the amount of work that is going to be necessary and correct it verses the value of the building and if no one is going to step up to do the work then the Village Board would have to decide if they should step in and get work done. I don't think the Village is in the renovation business. We could probably get a court order for demolition if the Board decides that is the direction they are going to go.

Mr. Coleman responded we just want to stay on top of it.

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

SECOND was made by Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
March 13, 2018
Page 12

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

The following was given by Mayor Welle:

Executive Session with David Darwin, Esq.

MOTION was made by Trustee Borowski to adjourn Executive Session and return to the Regular Session.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

MOTION was made by Trustee Chichester to terminate the Village of Harriman participation in the Kiryas Joel Annexation Litigation.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

MOTION was made by Trustee Borowski to adjourn Regular meeting at 8:45pm.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

Respectfully submitted by: _____
Jane Leake, Village Clerk