

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
FEBRUARY 11, 2014**

6:45 P.M. – AUDIT OF MONTHLY BILLS

7:15 P.M. – PUBLIC HEARING – PROPOSED LOCAL LAW #1 OF 2014 - 2% TAX LEVY

7:20 P.M. – PUBLIC HEARING – PROPOSED LOCAL LAW #2 OF 2014 – WATER RATES

7:30 P.M. – REGULAR MEETING

PUBLIC HEARING – PROPOSED LOCAL LAW #1 OF 2014 – 2% TAX CAP OVER RIDE

Mayor Welle read the Public Notice,

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law entitled, "A Local Law Authorizing a property tax levy in excess of the limit established by General Municipal Law § 3-c," at Harriman Village Hall, 1 Church Street, Harriman, New York on February 11, 2014 at 7:15 p.m. or as soon thereafter as the matter may be heard.

This local law, if adopted, will relieve the Village of the prohibition against increasing a tax levy by more than 2% as imposed by General Municipal Law § 3-c. As the Village relies upon the assessments of the Towns of Woodbury and Monroe and therefore cannot anticipate the impact of resolutions of tax certiorari matters or other unanticipated expenses the restrictions of General Municipal Law would potentially impose a great hardship upon the Village or require borrowing otherwise deemed unnecessary.

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.

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF HARRIMAN
KELLY KEARNEY, VILLAGE CLERK

Dated: January 30, 2014

The Mayor asked Village Clerk Kelly Kearney if we received anything in writing regarding this Public Hearing and she stated No we have not. The Mayor then opened up the Public Hearing to the public:

There were no public comments we left the public hearing open for a few minutes. The Mayor stated since there are no comments can we have a Motion to close the public hearing.

MOTION was made by Trustee Chichester to close public hearing.

SECOND was made by Trustee Shuart.

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
FEBRUARY 11, 2014
Page 2**

PUBLIC HEARING – PROPOSED LOCAL LAW #2 OF 2014 – WATER RATES

Mayor Welle read the Public Notice,

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law entitled, "A Local Law Amending the Water Rates for the Village of Harriman," at Harriman Village Hall, 1 Church Street, Harriman, New York on February 11, 2014 at 7:20 p.m. or as soon thereafter as the matter may be heard.

This local law, if adopted, will amend §§ 74-5 I (3)(a)(1), I (3)(a)(2), and 74-5 T (5) of the Village Code, which were adopted in 1992, by increasing the Village of Harriman water rates.

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.

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF HARRIMAN
KELLY KEARNEY, VILLAGE CLERK

Dated: January 30, 2014

The Mayor asked Village Clerk Kelly Kearney if we received anything in writing regarding this Public Hearing and she stated No we have not. The Mayor then opened up the Public Hearing to the public:

MOTION was made by Trustee Chichester to close public hearing.

SECOND was made by Trustee Shuart.

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
FEBRUARY 11, 2014
Page 3**

ROLL CALL:

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Lawrence Mosca, Trustee Christine Sacher, Building Inspector Ronald Walker, DPW Superintendent John Karl, Police Chief Dan Henderson, Village Clerk Kelly Kearney, and Village Attorney Ben Ostrer of Ostrer & Associates.

The Mayor asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES:

Mayor Welle asked if there were any changes or additions to the minutes of the January 28, Board Meeting. There being none, the minutes were accepted as written.

INFORMATIONAL ITEMS:

- Upcoming meeting dates:

Planning Board Meeting – February 24, 2014
Village Board Meeting – February 25, 2014
Zoning Board of Appeals Meeting – March 5, 2014

- Bills were audited:

\$106,208.71	General Fund
\$ 50,114.85	Water Fund
\$ 4,157.11	Trust & Agency

- Mayor Welle also stated that in accordance with Village Codes:
Code 132-15 No overnight parking in the Village from November 1st thru April 1st from 11pm – 6am.
Code 132-27.1 No parking at all on Village streets in snow events until snow has been cleaned off the roads.
- Mayor Welle stated that the Planning Board and Zoning Board of Appeals still have alternate positions opened on the Boards. Anyone interested should submit a letter of intent to the Village Clerk.
- Mayor Welle stated that the Monroe Joint Fire District is having a Public Hearing on January 23, 2014 at 7 pm at the firehouse located at 406 North Main Street in Monroe for the proposed fire protection contract to be entered into by the Monroe Joint Fire District with the Town of Monroe for fire protection. A copy of the Notice of Public Hearing is on the Village Clerk's Bulletin Board in the Village Hall as requested by the Monroe Joint Fire District.

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
FEBRUARY 11, 2014
PAGE 4**

DEPARTMENT REPORTS:

DPW – see attached report. DPW took scrap metal to the Junk yard and received \$356.00

Police Department – see attached report. Police received \$15.00 in funds

Building Department – see attached report.

\$ 605.00	building permits
\$ 75.00	certificates of compliance
\$ 125.00	certificates of occupancy
\$ 100.00	Municipals

AUDIT 5/31/12 – MANAGEMENT LETTER:

Mayor Welle stated this is the management letter for the year ending May 31, 2012 Audit, we need the Board to approve it and sign off on the letter, we need a MOTION to do such.

MOTION was made by Trustee Chichester to approve and sign as outlined by the Mayor.

SECOND was made by Trustee Shuart.

Trustee Sacher stated I have a question the management letter is just this top paper just stating what their findings were that we were missing a few documents that is all we are approving we are not approving the accuracy of any of this stuff inside this report.

Mayor Welle stated this is the observations that were made by the Auditor and this management letter is a result of that.

Trustee Sacher stated I do not have anything in here that states a management letter, is this top page called a management letter.

Mayor Welle stated yes it is, it says management response.

Trustee Sacher so this letter is all we are approving.

Mayor Welle stated correct

Trustee Sacher stated okay

Mayor Welle stated and that you accept the audit you are not approving it you are accepting it. We hired the Auditor to audit the finances of the Village.

Trustee Sacher stated okay but I am not approving that the numbers are correct.

Mayor Welle stated no that is for the Auditor to approve that the numbers are correct.

Trustee Sacher stated okay because I do not have any knowledge of these numbers so I am not going to say I agree with all of these findings.

Mayor Welle asked any other discussion.

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

NAY: -0-

Mayor Welle stated I will pass this around for the Board to sign it.

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

January 14, 2014

Page 3

J J WODDBURY CONTRACT:

Mayor Welle stated this is regarding the water to the project on Locey Lane. We need a MOTION to approve this contract as has been previously discussed.

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

SECOND was made by Trustee Chichester.

Trustee Mosca stated wasn't Locey Lane there issues with fire flows, did we resolve that?

Mayor Welle stated that the fire flows were proven to be okay according to the reports. DPW Supt. John Karl has a concern that in a catastrophic event, there will be a problem in the Village if I am not mistaken. DPW Supt John Karl stated that there are only three wells that feed the low pressure system that is my concern.

Mayor Welle stated but we have the PRV's which will open in the worst case.

DPW Supt John Karl stated if you don't have a problem prior to them opening.

Trustee Mosca stated and the fees if I remember correctly, they are going to pay is \$14,000.

Mayor Welle stated no \$18,000. Capital contribution and all the other fees as per the Village Code book and it states that in the contract.

Trustee Mosca stated and everyone feels that is enough, I still do not understand where that number came from the \$18,000.

Mayor Welle stated it was based upon

Trustee Mosca stated it seems very low

Mayor Welle stated you are talking about a relatively small facility, you're not talking about a Walmart or Home Depot and with conversations with the Village Attorney this was the number we came up with based upon a number of years of meter charges

Mayor Welle stated any other discussion

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: Trustee Mosca

PARK REQUEST – Rehoboth New Testament C.O.G:

Mayor Welle stated Rehoboth New Testament Congregation is requesting use of the pavilion at Mary Harriman Park on September 20, 2014 from 7:00 am to 5:00 pm for a church picnic.

Request was denied due to a lack of a MOTION.

VILLAGE CLERK – RESCIND – TRAINING APPROVAL:

Mayor Welle stated at the last meeting the Village Clerk was approved to attend training for the Building Standards and Codes, it has been brought to light that this would not accomplish anything for the Village as the Village Clerk cannot hold more than one title, so this training would ultimately not benefit us. So we need a MOTION to rescind this approval.

MOTION was made by Trustee Shuart to rescind the approval as outlined by the Mayor.

SECOND was made by Trustee Chichester.

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

NAY: -0-

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

January 14, 2014

Page 4

DPW SUPT. REQUEST – COUNTY BID LETTING:

Mayor Welle stated we received a request from DPW Supt. John Karl to participate in the Orange County Bid letting on several items as outlined in his memo.

MOTION was made by Trustee Shuart to approve the participating in the Orange County Bid letting as outlined by the Mayor.

SECOND was made by Trustee Mosca.

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

NAY: -0-

REQUEST – DPW SUPT TO SURPLUS PARTS:

Mayor Welle stated this is regarding the surplus brass pipe fittings containing lead. The approximate original cost was between \$1500 to \$2000 for these fittings. With the Federal Reduction of the Lead in Drinking Water Act of 2011 which went into effect on January 4, 2014 we are no longer allowed to use these the only thing we can do with them is scrap them as the vendor will not take them back. We need a **MOTION** to authorize the DPW Supt to turn these in for scrap.

MOTION was made by Trustee Chichester to approve the request as outlined by the Mayor.

SECOND was made by Trustee Mosca.

Trustee Mosca asked DPW Supt. John Karl what is this up to for a pound?

DPW Supt John Karl stated I am not sure I will not know until we get there, we have other stuff that has to go as well, we will take it all in one shot.

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

NAY: -0-

BID AWARD – 2002 DODGE:

Mayor Welle stated the 2002 Dodge pick-up that was declared surplus was put out to bid with Auctions International, had a bid closing last night; we need authorization to accept the high bid of \$5300.

MOTION was made by Trustee Mosca to authorize accepting the high bid of \$5300. as outlined by the Mayor.

SECOND was made by Trustee Chichester.

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

NAY: -0-

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

January 14, 2014

Page 5

VILLAGE CLERK – MEMBERSHIP REQUESTS:

Mayor Welle stated that the Village Clerk has requested to renew her memberships to NYALGRO (New York Association of Local Government Record Officers) and NYS Association of City and Village Clerks. The Total cost for both memberships is \$80.00.

MOTION was made by Trustee Shuart to approve the request as outlined by the Mayor.
SECOND was made by Trustee Mosca.

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

MONROE JOINT FIRE DISTRICT CONTRACT:

Mayor Welle stated this is the lease agreement with the Monroe Joint Fire District; they are leasing space for the Fire Company in the amount of \$45,360.00 for 2014. We need authorization for the Mayor to sign the lease agreement.

MOTION was made by Trustee Chichester to authorize the Mayor to sign the lease agreement as outlined by the Mayor.

SECOND was made by Trustee Mosca.

Trustee Mosca stated what was it last year?
Mayor Welle stated same amount, all three stayed the same this year.

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

WATER ACCOUNTS # 51650, # 33680 and # 45950:
#51650

Mayor Welle stated that going back we received correspondents with account # 5165 the Board approved waiving late fees and setting up a payment plan. This has been better than 50% paid and she hopes to have it paid off by the end of this month. Just in time to get a new water bill. I just wanted to report this to the Board she did what she had promised she would.

#33680

Mayor Welle stated account # 3368 they received an usual high water bill, they came after the last Village Board meeting and complained, they were given options of having their water meter tested according to the code and DPW Supt John Karl did go out and verify there did not appear to be any leaks. There was an irrigation and swimming pool on site. The customer did come in and pay the full amount, he is requesting that the late fee be waived due to the fact that he did come in and pay it once everything was checked out.

Request was denied due to a lack of a MOTION.

#45950

Mayor Welle stated that we will have to discuss this in Executive Session due to potential litigation. This will be held over until then.

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
January 14, 2014
Page 6

DELINQUENT WATER ACCOUNTS:

The Notices have been sent out to the people as per the code. We need authorization from the Board to turn off those water services to those accounts that are still not paid on Thursday, January 16, 2014 at noon.

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

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

NAY: -0-

WATER ACCOUNT # 2135

Mayor Welle stated they are due to be turned off on Thursday, they are always late. He has come in a couple of times and is now requesting until Friday to pay.

Request was denied due to a lack of a MOTION.

BUILDING INSPECTOR REQUEST – TRAINING

Mayor Welle stated that the Building Inspector has requested to attend the continuing Education Conference March 3, 2014 thru March 6, 2014 at an approximate cost of \$652.00.

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

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher
Trustee Shuart

NAY: -0-

ATTORNEY REPORT:

- Code Issues - Marissa stated she spoke with Ben and will get back to us.
- Gas Easements - Mayor Welle stated we are still waiting for O & R to get back to us for the well house. It is in their hands and Central Hudson.

Mayor Welle stated there are a couple of items for Executive Session, that we will need you to stay for.

PUBLIC COMMENT:

There being no comments.

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
January 14, 2014
Page 7

Mayor Welle asked that the Police Chief to stay for Executive Session.

MOTION was made by Trustee Shuart to enter into Executive Session for litigation and attorney/client privilege.

SECOND was made by Trustee Chichester.
ALL IN FAVOR.

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

Executive Session was held with Police Chief Henderson and Village Attorney Marissa Tuohy.

Police Chief Henderson excused at 8:10 pm
Village Attorney Marissa Tuohy excused at 8:25pm

MOTION was made by Trustee Shuart to end Executive Session and return to the regular meeting.
SECOND was made by Trustee Chichester.
ALL IN FAVOR

Mayor Welle provided Board with the requests to waive late fees on water accounts #4597 and #4595.
Account # 4595 had questioned high usage due to a leak and still is not paid in full.

Being no MOTION the request to waive late fees on water accounts #4595 & #4597 is denied.

A **MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Shuart to adjourn the meeting at 8:45 pm.
ALL IN FAVOR.

Respectfully submitted by _____
Kelly Kearney, Village Clerk