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PUBLIC HEARING

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 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 14, 2017 at 7:25pm 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% a 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.

The Mayor asked have we received any comments on this proposed Local Law?

Ms. Leake replied no we have not.

The Mayor stated this Local Law gives the Village Board the right to exceed the State imposed tax cap. It is not the Board intention to exceed it, although they keep making it more challenging every year. Are there any public comments?

No Public Comments.

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

Respectfully submitted by: _____
Jane Leake, Village Clerk

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6:45pm – Audit Bills
7:15pm – Budget Workshop = Building Department
7:25pm – Public Hearing – Local Law #1
7:30pm – REGULAR MEETING

BUDGET WORKSHOP – The following was given by Mayor Welle:

Present: Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Frank Borowski, Trustee Sandra Daly

John Hager discussed and explained his budget requests and outlined the changes from the previous budget. The Board expressed their gratitude to John for his thorough explanation of his budget proposal.

Workshop concluded at 7:25pm.

REGULAR MEETING:

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

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 January 10, 2017 Regular Board Meeting and Budget Meeting of February 7, 2017.

MOTION was made by Trustee Farrell to accept the minutes of January 10, 2017 Regular Board Meeting and Budget Meeting of February 7, 2017.

SECOND was made by Trustee Daly.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

INFORMATIONAL ITEMS:

- This evenings bills were audited:

Trust & Agency	\$ 1,022.96
General Fund	\$222,641.44
Water Fund	\$120,120.83

- Upcoming Meeting Dates:
 - Zoning Board of Appeals Meeting – March 1st
 - Planning Board – February 27th & March 20th
 - Village Board – March 14th
 - Budget Meetings – February 21st & 28th

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

- As we continue through winter there is no overnight parking on the street and during snow events there is no parking on the streets until they are clear of snow.

- Clean sweep is scheduled for April 22nd starting at St. Anastasia Church from 8am – Noon.

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- Water Account 8205 there has been issues with the read since the November billing period. The Clerk has reached out to them several times and they have not responded. In order to get someone into the house to read the meter the estimated water bill has been estimated high this time to see if they do respond.

Dave Darwin arrived.

- January 23rd & 24th we had a snow and ice event. It was a very wet and heavy snow where several mailboxes got taken out by the heavy snow. The Village is not responsible for mailboxes and we do not repair them or replace them. We do have an Attorney General's opinion that we are not responsible for them. The guys did a great job. On February 9th we had a repeat performance and they did a great job again. The afternoon on the 9th I received a call from Orange County offering any assistance we may need during the storm.
- I did send a letter to County Executive Neuhaus regarding flow meters and I am waiting for a response.
- The Building Inspector and I have interviewed a few architects and we have gotten some feedback in terms of cost in regards to the renovations of the Village Hall. We are still waiting on a couple of quotes and then we will discuss it with the Board
- Hopefully before the end of this week the Building Inspector's car will be on the road.
- We received Public Hearing Notices from the Towns of Blooming Grove (February 13th) and Tuxedo (February 14th) on their comprehensive plans.
- Tomorrow between 1 – 1:30pm there will be a test of the Indian Point Siren System.
- On the Agenda Item 17 is a duplicate – replace with two water account requests.
- Tomorrow from 4 – 8pm at the Harness Racing Museum in Goshen Metro North will be putting on an information event open house on potential improvements to the Port Jervis Line.
- The County Legislature last week approved \$375,000 for the paving of the Heritage Trail from the Village of Monroe to the Village of Harriman. They are anticipating it will be done before the Fall of this year. There are some items to be worked out yet in terms of access and parking.
- The Governor approved a plan this year where the Counties have to work with local municipalities to consolidate services. The Counties have to come up with a plan and the Governor has threatened to withhold the aid from municipality's money if the Counties don't do this. It is not a major funding item for the Village, but it is a revenue source we would prefer not to lose.

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report – water bills \$349,837.40 - past dues \$520,447.91

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

Water Account Adjustments – see attached report

Court Reports – see attached reports – took in \$19,717.00 – Village received \$13,941

Building Department – see attached report

\$ 90.00	Building Permits
<u>\$ 100.00</u>	Violation Searches
\$ 190.00	Total

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LOCAL LAW #1 2017

The Mayor stated Local Law #1 public hearing was held this evening where there was no public/written comment. This is to authorize overriding the 2% tax cap levy.

MOTION was made by Trustee Chichester to adopt authorizing overriding the 2% tax cap levy.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Borowski
Trustee Chichester
Trustee Daly

NAY:

PARK REQUEST - HVWWC

The Mayor stated HVWWC has requested to use the Pavilion at Mary Harriman Park on Wednesday, August 9th.

MOTION was made by Trustee Chichester to approve the HVWWC to use the Mary Harriman Pavilion on Wednesday, August 9, 2017.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

Trustee Farrell asked approximately how many people attend that?

Mr. Mulligan replied about 50 people.

Trustee Farrell asked what is the time frame?

Mr. Mulligan replied typically it starts at 8am and their out around 3pm.

The Mayor stated we need to get a certificate of insurance naming the Village.

TRAINING REQUESTS – DPW Superintendent

The Mayor stated the DPW Superintendent is looking to attend the NY Rural Association Seminar March 21st with no cost to the Village.

MOTION was made by Trustee Daly to approve the DPW Superintendent to attend the NY Rural Association Seminar March 21st.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

The Mayor continued stating John would like to send four employees to the HVWWC on August 9th with no cost to the Village.

MOTION was made by Trustee Borowski to approve four DPW Workers to attend the HVWWC on August 9th.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

The Mayor continued stating the DPW Superintendent is looking to go to a NY Rural Association seminar October 13th regarding Well Rehab and Maintenance of Water Storage Tanks at a cost of \$80.00.

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MOTION was made by Trustee Chichester to approve the DPW Superintendent to attend the NY Rural Association seminar on October 13, 2017.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

Trustee Farrell asked how many education credits do you have to do a year?

Mr. Mulligan replied for my license I need 30. A class like this will give you between 4 and 6.

COURT GRANT (JCAP)

The Mayor stated Judge Drian submitted a JCAP as he did last year and was awarded \$5,791.98 that was split between furniture, office equipment and security. This is money that can be used to improve the Court and is not coming directly out of the Village Budget. I would like to thank him for that.

RESCHEDULE APRIL VILLAGE BOARD MEETING

The Mayor stated the April 11th Village Board Meeting is the first night of Passover so we would need to reschedule the meeting. My recommendation is April 18th.

MOTION was made by Trustee Chichester to approve the April Board meeting to April 18, 2017.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

SCHEDULE PUBLIC HEARING 2017-2018 BUDGET

The Mayor stated we need to schedule a Public Hearing on the 2017-2018 Budget. I am suggesting it be Tuesday, March 14, 2017 at 7:15pm.

MOTION was made by Trustee Farrell to schedule the 2017-2018 Budget Public Hearing for Tuesday, March 14, 2017 at 7:15pm.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

RESOLUTION #1 - 2017

The Mayor stated Resolution #1 is the General Fund and Resolution #2 is the Water Fund. In August of 2004 the Village created Capital Reserve Funds for employee benefits on accrued liability when an employee is leaving either departing or retiring. They have accrued vacation, personal time, etc. in which you have to have a fund according to NYS to fund this. Unfortunately some of the wording in the 2004 one was incorrect and the section that was quoted was incorrect. It doesn't change anything. We have been funding the account and using the accounts, but these two resolutions will clear up the language and straighten them out in terms of the Section of the State Code that they apply to. Copies are available.

MOTION was made by Trustee Daly to approve Resolution #1 correcting the General Fund accrued liability wording.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

RESOLUTION #2 - 2017

MOTION was made by Trustee Chichester to approve Resolution #2 correcting the Water Fund accrued liability wording.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

SEAF – Water Main Project Route 17M

The Mayor stated this is the Short Environmental Assessment Form regarding the New York State Route 17M Water Main Project which is in front of the new fire house and is approximately 215ft. It will not have a significant impact.

MOTION was made by Trustee Chichester to adopt the Short Environmental Assessment Form for Mayor Welle to sign.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

NYS HIGHWAY WORK PERMIT APPLICATION

The Mayor stated we need authorization to sign the NYS Highway Work Permit Application to do the work on Route 17M.

MOTION was made by Trustee Farrell to authorize Mayor Welle to sign the NYS Highway Work Permit Application. **SECOND** was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

SEAF – SCADA Controls and Telemetry

The Mayor stated the Short Environmental Assessment Form regarding the SCADA Controls and Telemetry for the Village of Harriman Water Supply System and the \$400,000 Bond Resolution which we previously had done. Again, not a significant impact.

MOTION was made by Trustee Chichester to adopt and for Mayor Welle to sign the Short Environmental Assessment Form for the SCADA Controls and Telemetry.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

BID AWARD – SCADA Controls and Telemetry

The Mayor stated we went out for bid on the new SCADA and Telemetry System. We received two bids. One from Wittcon Incorporated in the amount of \$350,000 and the other was from Aqualogics Systems in the amount of \$319,000. John Lanc had reviewed these and he has found that Aqualogics Systems bid to be in order in which he recommends we award that bid.

MOTION was made by Trustee Daly to award Aqualogics Systems the SCADA Controls and Telemetry bid. **SECOND** was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

OFFICER BIAGINI – PROBATION COMPLETED

The Mayor stated we received a letter from the Chief regarding Officer Michael Biagini requesting Officer Biagini be removed from his completed six month probation period.

MOTION was made by Trustee Borowski to approve Officer Michael Biagini be removed from his completed six month probation.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

NYS DOH APPLICATION – Water Main Project

The Mayor stated NYSDOH Application for the Water Main Project being an extension of the Water Main we need to apply to the DOH for approval.

MOTION was made by Trustee Chichester to approve Mayor Welle to sign the NYSDOH Application for approval.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

WATER ACCOUNT REQUESTS

The Mayor stated Account 4588 an irrigation account that had a leak they were not aware of, which caused them over \$20,000. They requested some time to look into it and submitted a deposit, which was granted by the Board. They are now stating that they will pay this in full by the end of February and at the same time one of their meters (account 4594) was replaced in their commercial building due to a new tenant. After a little of over a year it was discovered that the information for the new meter never got to the clerk. Instead of a four digit reading they were working of a three digit reading. They were being grossly under billed. The Board took this up at the last meeting and due to the fact that it was a Village error they agreed to bill them at the lower rate for the water that was actually used. They are requesting to pay this over the next twelve months with a \$1,000 per month payments, due to the large amount.

Trustee Borowski asked any interest?

Mayor replied no and no late fees, just to pay it off and at the same time keep current with their current bills, which will be much higher than they had for the past year.

MOTION was made by Trustee Chichester to approve the payment plan for water account 4594 of \$1,000 a month for the next year with no late fees.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

LIFE STORAGE REQUEST

Jerry Bergman, Engineer for Greenman-Pedersen who represents Uncle Bob's/Life Storage stated we did get full site plan approval from Woodbury for this project, building permit and started the work. We had no idea we had to go through this and as soon as we did we shut down.

The Mayor stated currently they have domestic water service for a bathroom or whatever it is in the office there. What you/they are requesting is a fire flow connection to the building that is covered in our Code Book. There is a whole set of requirements/rules. Being it is in the water service area I don't see it as a problem.

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Mr. Bergman made a quick presentation with a diagram board on what is going to be done at the site. They are planning to take out three buildings and replace it with one building. This will be a climate control building and that is the reason for the fire protection line.

The Mayor stated this is an addition to the existing service. This was not contemplated when they did the original because it wasn't needed for the other buildings.

MOTION was made by Trustee Chichester to authorize the Mayor and possibly a second Trustee of his chose to meet with Life Storage to discuss the Fire Flow potential.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

DPW SEASONAL WORKER

The Mayor stated during Budget discussions the DPW Superintendent stated he would like to solicit for and start a seasonal DPW worker on May 15, 2017.

MOTION was made by Trustee Farrell to approve the DPW Superintendent to solicit for a seasonal DPW worker starting on May 15, 2017.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

BUDGET TRANSFERS

The Mayor stated I have a memo dated February 9, 2017 for budget transfers from the Village Treasurer.

MOTION was made by Trustee Chichester to approve the budget transfers in the memo or February 9, 2017 from the Village Treasurer.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

ATTORNEY REPORT

Attorney Dave Darwin stated on the following updates:

I tried to reach out to Norfolk Southern regarding the Village's offer to purchase that rail bed. Part of the reason we haven't heard anything is because the person who was handling that is no longer with the company. I did make contact with the person who is in charge of this regent for real property transactions. She is going to reach out to the person who has taken Kelly Williams place. So hopefully we will be able to resurrect this transaction.

I have had communications with Neugent the attorney for the Town of Monroe with respect to the retention pond concerns the Village has. He had intended to bring it up at the Board Meeting last Monday, which did not happen.

The Melody Lane wet lands mitigation project there has been some changes to the deed restriction that has been going back and forth for quite some time, proposed by Brian Orzel from the Army Corp. I received a draft of an agreement between Melody Lane and the Village. It doesn't look that bad, it is just a question if the Village would like to go forward with this or not. I think this is the best we are going to get in terms of the language in the deed restriction.

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Mayor stated the agreement for the Police to use the range. I made a couple of corrections in regard to typos on it and I would like to make sure you have no other issues with it.

Chief Hendersen stated if we can get that back sooner or later because it is holding up some of our training. We rely on that range very much so.

Attorney Darwin replied the only change I noticed is under paragraph three – under Indemnification Town should be replaced with Village.

MOTION was made by Trustee Chichester to approve Mayor Welle to sign the agreement between Woodbury Field and Stream Club Incorporated and the Village of Harriman for Police Department activities.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

PUBLIC COMMENT - *NONE*

MOTION was made by Chichester to enter into Executive Session for one Litigation and Attorney Client Privilege.

SECOND was made by Trustee Farrell.

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.

George Lithco, Esq was requested to attend Executive Session for 5 minutes to discuss a matter related to Melody Lane Properties. George Lithco was dismissed and the Executive Session continued.

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

SECOND was made by Trustee Borowski

ALL IN FAVOR

MOTION was made by Trustee Chichester to approve the Restrictive Covenants on the Melody Lane Properties Wetlands Mitigation Project in the Village of Harriman. This approval is subject to a Wetland Mitigation Area Agreement with Melody Lane Properties, which is agreeable with the Village Attorney.

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Farrell and **SECONDED** by Trustee Borowski to adjourn the meeting at 9:10pm.

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk