

**VILLAGE OF HARRIMAN, NEW YORK  
VILLAGE BOARD MEETING  
February 13, 2018  
Page 1**

**6:45pm – AUDIT BILLS  
7:15pm – BUDGET MEETING – Building Department  
7:25pm - PUBLIC HEARING – Local Law #2 – Water Rates  
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 on a proposed local law entitled, Local Law No. 2 of 2018 - A Local Law Amending the Water Rates for the Village of Harriman,” at Harriman Village Hall, 1 Church Street, Harriman, New York on February 13, 2018 at 7:25 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) of the Village Code 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.

The Mayor asked have we received any written correspondence?

Ms. Leake replied no.

The Mayor stated it increases the water rates on an average of 2%. For in Village residential customers it will be an increase of approximately \$2.50 – \$3.00 per quarter.

No comments.

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

**SECOND** was made by Trustee Borowski

**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, Police Chief Dan Henderson, Village Clerk Jane Leake and Village Attorney Dave Darwin.

**ABSENT:** DPW Superintendent John Mulligan

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 January 9, 2018 Regular Board Meeting.

**MOTION** was made by Trustee Farrell to accept the minutes of January 9, 2018 Regular Board Meeting.

**SECOND** was made by Trustee Chichester

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 2**

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**INFORMATIONAL ITEMS:**

This evening's bills were audited:

Trust & Agency	\$ 984.00
General Fund	\$ 161,882.81
Water Fund	\$ 53,886.57

- Upcoming Meeting Dates:  
ZBA – March 7, 2018  
Planning Board – February 26, 2018 and March 19, 2018  
Village Board – March 13, 2018
- Brush Policy – brush be put at edge of 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 1<sup>st</sup> to April 1<sup>st</sup> 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 all year. Anyone interested in donating drop supplies off at Village Hall.
- NYS Public Service Commission – has information for people having trouble with their utility bills. Information is at Village Hall for anyone interested.
- Monroe Woodbury School District – has formed a strategic planning quarantine of about 30 members looking at the next five years of the school district. I was asked to take part of it and there will be a few meetings. I will report back to the Board.
- We had several issues on Brookside Drive West regarding snow. Letters were delivered to all residents. The last storm was much better, so hopefully it continues.
- We have been notified by JCAP that we have been awarded a grant of \$17,322.52. Thank you to Judge Drian.
- Regarding Bailey Farm Road shortly after the first of the year, the DPW Superintendent and I met with Supervisor Cardone and Highway Superintendent Scherne and discussed what needed to be done and came up with a plan to finish it. The signs are up and bagged currently. All of the tree and curb work has been completed. The road will be stripped in the warm weather and then the road will be opened one way toward Target.
- Village of Woodbury Zoning Board of Appeals is having a Public Hearing tomorrow evening on the Shops at Woodbury.
- The Village of Woodbury is doing an introductory Local Law regarding a water quality protection overlay district. The Public Hearing is February 22, 2018

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 3**

- ADDITION  
21a) Budget Amendment
  
- Spring Food Drive to help stock a local food pantry from March 1 – March 30. Anyone wishing to donate can drop off items at the Village Hall or out of hours at the Police Station.
  
- Regarding the Bond for new building we had to have our standard and pours rating reevaluated and we have maintained our double A long term rating.
  
- The Heritage Trail description parking looks a lot better than we thought. Hopefully the access to the trail will be ready this Spring.

**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 - Water Bills – \$335,326.11

Court Reports – see attached reports -	December \$14,213	Village received - \$9,770.00
	January \$14,987	Village received - \$9,650.00

Building Department – see attached report

\$ 270.00	Building Permits
\$ 600.00	Violation Searches
\$ 870.00	Total

**LOCAL LAW #2 -2018**

Local Law #2 2018 regarding water rates the public hearing was held, with no written or public comments. It is an average of a 2% increase.

**MOTION** was made by Trustee Farrell to adopt the Local Law #2 effective with the May 1<sup>st</sup> billing.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**WATER ACCOUNTS**

Accounts:

794 – Waiver

**LACK OF MOTION - Denied**

717 – Reached Agreement of paying in a course of one year of \$95.25 for 11 months and one final payment of \$93.83 commencing March 2018. Water rate was reduced to the lower rate.

**MOTION** was made by Trustee Chichester to approve Agreement on Account 717.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

714 – They are asking for 18 months to pay \$62.00 a month until paid in full without penalties. The water rate was reduced to the lower rate.

**MOTION** was made by Trustee Farrell to approve payment plan on Account 714.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Chichester

**NAY:**  
NONE

**VILLAGE OF HARRIMAN, NEW YORK  
VILLAGE BOARD MEETING  
February 13, 2018  
Page 4**

Trustee Daly  
Trustee Borowski

639 - Water was used prior to house being uninhabitable. Mayor will contact and advise him of such.

116 – Waiver

**MOTION** was made by Trustee Farrell to grant a one-time partial waiver of \$50.00.

**SECOND** was made by Trustee Chichester

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Daly	
Trustee Borowski	

**AUCTIONS INTERNATIONAL AGREEMENT**

Mayor stated the annual agreement where we sell surplus equipment needs to be signed.

**MOTION** was made by Trustee Daly to approve the signing the Agreement.

**SECOND** was made by Trustee Chichester

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Daly	
Trustee Borowski	

**WOODBURY FIELD & STREAM AGREEMENT**

Mayor stated the annual agreement for the Police Department to use the range has been reviewed by the Attorney.

**MOTION** was made by Trustee Chichester to approve the signing the Agreement.

**SECOND** was made by Trustee Borowski

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Daly	
Trustee Borowski	

**TAMR - SUBDIVISION**

Mayor stated the part on Maple Avenue is ready to go. Kevin Dowd okayed it. It needs authorization of the Board pending Attorney's review. It is a four lot subdivision and we are getting an easement of the edge of the road which we have never had.

**MOTION** was made by Trustee Chichester to sign the authorization pending attorneys review and accept the offer of dedication.

**SECOND** was made by Trustee Farrell

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Daly	
Trustee Borowski	

**CERTIFIED APPRAISAL SERVICE AGREEMENT**

Mayor stated this is regarding appraisal on the Police Station property and the vacant property the Village is interested in selling. Cost of the appraisal for the two is \$1,600.00.

**MOTION** was made by Trustee Daly to sign the Appraisal Agreement.

**SECOND** was made by Trustee Farrell

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Daly	
Trustee Borowski	

**SCHEDULE PUBLIC HEARING**

Mayor stated we are close to opening Bailey Farm Road and in order to put up some of the signs they have to go into our Code Book. We need to set a Public Hearing for Local Law #3 for February 13, 2018 at 7:25pm.

**MOTION** was made by Trustee Chichester to approve setting Local Law #3 Public Hearing.

**SECOND** was made by Trustee Borowski

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**WATER METER REPLACEMENT**

Mayor stated the DPW Superintendent and I have been going through different meters and what is out there. A lot of ours are in need of replacement due to the age, reads easier and cost effective. There is a meter with a built in transmitter so they will be able to read just driving down the street with a tablet or laptop. Starting with 100 normal size meters the price ranges are from \$24,000 – \$45,000 between the three different companies. All have add on's except Kamstrup and the on-going annual cost is significantly different. This one will be around \$468 a year in the beginning. The highest \$2,000 once we have all meters switched over. To do the first 81 standard meetings the cost will be \$21,108.00. There is \$20,000.00 budgeted for this. The other \$1,108 can be taken out of Contingent. Then any of the new houses that go up in the subdivision will be responsible for buying the new meters.

**MOTION** was made by Trustee Chichester to approve replacement meters by Kamstrup.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**DPW EQUIPMENT PURCHASE**

Mayor stated going back I was able to get a \$140,000 grant through Senator Larkin. At the time they thought a second backhoe would be the way to do it. As things have changed around here the DPW have requested that if possible we change it to a mini excavator and a loader in the amount of \$143,746.88. The \$3,746.88 we have in the Highway Equipment line.

**MOTION** was made by Trustee Chichester to approve the DPW equipment purchase.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**WSP (LBG) RECOMMENDATIONS**

Mayor stated we received a proposal from the Steve Church Company for the Mary Harriman 1A that we started to have issues with. It is for \$20,970, excluding the Well Video it will be \$19,570.00 from the water account redevelopment line.

**MOTION** was made by Trustee Farrell to approve the Steve Church Proposal.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 6**

**LEASE AGREEMENT**

Mayor stated we have been negotiating to rent part of the school during construction here. We have agreed to a cost and are waiting for the terms of the lease. It is going to be \$9.00 a square foot. I need authorization to sign the lease pending the approval of the Village Attorney.

**MOTION** was made by Trustee Daly to approve the Mayor signing the Lease Agreement.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

Trustee Farrell responded out of all the options out there this one works the best in cost savings and public safety.

Mayor replied it gives access to the entire site without any interruptions.

**BUILDING DEPARTMENT REQUEST**

Mayor stated the Building Inspector would like to change his hours from 9-4:30pm with a half hour lunch.

**MOTION** was made by Trustee Chichester to approve the change of hour's request.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**DPW SUPERINTENDENT REQUEST**

Mayor stated he registered for the two courses and was able to attend the February 6 course and switch the February 8 to October 5<sup>th</sup>.

**MOTION** was made by Trustee Farrell approve the October 5<sup>th</sup> course.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

The mayor continued his second request is the NY Rural Association for a March 6<sup>th</sup> seminar in Maybrook and would like to send three employees at a cost of \$17.00 per employee.

**MOTION** was made by Trustee Farrell approve the March 6<sup>th</sup> seminar request.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

**INSURANCE CLAIM**

Mayor stated the insurance claim where an employee backed the backhoe into an employee's personal car was denied by the insurance company claiming section 1103 of NYS Traffic Law where when you are removing snow as long as you are not reckless you are exempt. We need the Boards approval for a \$1,625.38 in repairs.

Attorney Darwin stated I would review the policy before weighing in on that. They may be correct but it is not always that black and white.

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 7**

Mayor responded I know several years ago on of our trucks backed into a shortline bus and found the Village not a fault.

Attorney Darwin replied I am familiar with the statue but the application under the facts of this case without looking at the policy and knowing all the facts and circumstances they may as well be correct in their determination.

Trustee Farrell stated we have to move to repair the vehicle.

Attorney Darwin responded you can go ahead and pay for it and still pursue.

**MOTION** was made by Trustee Chichester to approve repairing the vehicle and have Attorney Darwin look into it.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

**NAY:**

NONE

**URBAN COUNTY COOPERATION AGREEMENT**

Mayor stated this is Community Development although we have not been able to partake some private residents have been over the years so I need authorization to sign the agreement.

**MOTION** was made by Trustee Chichester to approve signing the 2017-2018 agreement.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

**NAY:**

NONE

**BAILEY FARM ROAD**

Mayor stated on September 3, 2009 we were presented with an offer of dedication. A lot has happened since then. The developer did not want to do anything to mitigate the traffic in Harriman so the Board subsequently decided not to accept dedication at that time or open the road. We have gone to numerous meetings and it was finally agreed upon with the Town of Monroe that we would open it one way, but then the Town gave up the Bond money and the developer wasn't going to do anything. The Town and the Village has gotten together and for a nominal cost we are able to get the work done. The last thing left is the stripping. It is time to sign the offer of dedication so Attorney Darwin has prepared the following resolution (read by Mayor):

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF HARRIMAN ACCEPTING IRREVOCABLE OFFERS OF DEDICATION FOR A STREET KNOWN AS BAILEY FARM ROAD AND A WATER LINE EASEMENT.

WHEREAS, by virtue of filing with the Orange County Clerk subdivision maps entitled "Commercial Subdivision Plan for Harriman Business Park" as last revised, and filed on July 22, 1999, as Filed Map 176-99; a plan of subdivision entitled "Commercial Subdivision Plan for Harriman Commons, as last revised, and filed on September 6, 2000 as Filed Map 163-00; and a plan of subdivision entitled "Retail Development at Harriman Business Park, Commercial Subdivision Plan", as last revised, and filed on December 15, 2004, as Filed Map 972-04, (the "Filed Maps"), irrevocable offers of dedication were made by **FBG Shop Ctr. LLC, FBG Hotel LLC, FBG Off. Bldg. LLC, FBG Townhouse LLC, and FBG Realty LLC**, (hereinafter collectively "**FBG OWNERS**") to the Village of Harriman for a proposed Village Street known as Baily Farm Road, and for a twenty-foot wide easement for the operation, repair, maintenance and replacement of the water lines, mains and appurtenances thereto as installed in the right of way of a proposed Town road shown on the Filed Maps, known as Bailey Farm Road; and

WHEREAS, irrevocable offers of dedication dated September 3, 2009 were delivered by the **FBG OWNERS** to the Village of Harriman for said proposed Village Street and easement, together with a deed to the property for the proposed Village Street known as Bailey Farm Road, conveying all of the **FBG OWNERS** right title and interest in said proposed Village Road to the Village of Harriman; and

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 8**

WHEREAS, the Village Board has determined that it is in the public interest to accept said offers of dedication and deed; now, therefore, it is hereby

RESOLVED, that the Village Board of the Village of Harriman hereby accepts the irrevocable offer of dedication for Bailey Farm Road, together with the deed thereto, and the irrevocable offer of dedication for twenty-foot wide easement, and the deed, all as more fully described in said deed, the offers of dedication and the aforesaid subdivision maps; and it is further RESOLVED, that the Mayor is authorized to sign and/or record with the County Clerk any and all documents necessary to implement this Resolution.

**MOTION** was made by Trustee Farrell to approve Bailey Farm Road Dedication Resolution.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

**NAY:**

NONE

Trustee Chichester asked nothing in there needs to be put regarding one way with this that comes after this? That doesn't relinquish our right to make it a one way street?

Attorney Darwin replied correct.

**MONROE JOINT FIRE DISTRICT**

Mayor stated we received a letter regarding their request of extending their lease and the rent, which we will discuss in Executive Session.

**BUDGET AMENDMENT**

Mayor stated we received a memo from the Village Treasurer to increase line A40.2400 Registrar of Vital Statistics and expense line A2116 Registrar of Vital Statistics in the amount of \$150.00.

**MOTION** was made by Trustee Farrell to approve the Budget Amendment.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

**NAY:**

NONE

**ATTORNEY REPORT**

Mayor asked anything on the dealings with Frontier?

Attorney Darwin replied we heard back with respect to the changes in the Cable Franchise Agreement that we proposed. They agreed to almost all of the changes. The two exceptions are:

1. The five year build out waiver.
2. Disagreement with a modification on the payment with the PEG access channel. I asked them to manage the \$9500.00 that Cablevision had provided and they responded they will be will to pay a prorata portion of that based on the number of customer subscribers.

Everything else they had agreed to.

Mayor stated I have an issue with waiving the five year build out and regarding the PEG channel rather than taking a payment maybe they would like to supply the equipment that we would need to put it out there.

Attorney Darwin replied I will put that out there. With regard to the five year build out waiving it or not waiving it the Board should weigh the cost of the benefit. The benefit of having an additional service provider against maybe negatives associating with waiving the five year build out.

Mayor replied if they came in with a plan on what their plan was that may be better. My concern is they come in a do the cherry picking.



**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 9**

Attorney responded maybe we can have a discussion with them about that issue and see if it can be resolved.

Mayor asked are you still going through the Verizon Agreement?

Attorney replied I took a look at it and I did have some issues. I took a look at some of the others and compared what they are giving us and one of the biggest issue I have is that they have a provision in here that the Village is responsible for delivering the building in a condition that is acceptable in all respects and able to accommodate there installation and everything else they are going to be putting into the building, which to me is unacceptable. I would proposal that they accept the building in as is condition and they certain have the ability to come in with the Village's permission and there engineers and technical people and inspect the building and decide whether or not it is suitable to meet there needs. It shouldn't be the Village's obligation. There were some other smaller issues.

Trustee Chichester asked that doesn't sound like a deal breaker to me do you think it would be?

Attorney replied no because some of the other agreements had language where they took the facility as is. So I wouldn't think there would be an issue with that. There are some clauses in here. There is a provision in here for four additional automatic five year extensions. It is something I think the Board would want to consider, whether they want that or to modify that provision. There is some other areas that are broad that I think need to be tightened up. The insurance provision I wasn't happy with and needs to be modified. The limits were too low. The waiver the lease cause that needs to be changed. It requires the Village to waive certain rights and claims and damages that you shouldn't have to waive. There is a provision that the parties will waive any claims for which could have been covered by commercially available insurance and that the claims would be limited to the amount of insurance. Along with a few other things that you would probably want to change.

Mayor asked did you look at the utility agreement with Yonkers Construction?

Attorney replied it is actually two agreements. It is an agreement for the water facilities and an agreement for the gas facilities. The only agreement we have would be for water not for gas. That is brand new. When you look at the water agreement that we have with the State, the State pays for everything. The gas agreement may have the Village paying for it. I am not sure and why the Village would be entering into a contract directly with the States Contractor. I can call the guy who I spoke to last time and look at the original State agreement and ask him about that and we had made changes to the State's Agreement as well which have not incorporated into these two agreements. I think a little more inquire needs to be made before signing these.

Mayor stated regarding the information you sent me this afternoon on the access to the trail. My only comment would be that they are only going to have 10 parking spots, but that is up to them. It could become a problem in the future and I think there is more property there that they could possibly utilize, but that is there call and I would like to see more detail on it. Is it going to be wide open for those 10 parking spots or how is it going to be? Other than that I think it is great. It limits going on to Superior Pack.

**PUBLIC COMMENT**

Jim & Terry Coleman 4 Maple Avenue

Mr. Coleman stated I spoke with the Building Inspector today regarding the multiple dwelling of 2 Maple Avenue and its continuous deterioration and how it affects our lives and everything. I came this evening to see what the Board is planning on doing with that property.

Mayor replied it will be a process because the property owner has rights. John has started the process and noticed the property and owner. It will have to go to the process where it may wind up in court.

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 10**

Mr. Hager stated 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.

Mr. Coleman responded how long could this process take, months, years?

Mayor replied it can easily take months.

Mrs. Coleman asked possibly years? Even though there is no time frame.

Mayor replied if John stays on top of it, which I know he will or unless this owner comes up with something that would stop us from moving forward I would hope not.

Trustee Chichester stated anytime a property owner decides to get a lawyer and fight it then the time tends to expand, but John will do everything that the Village needs to do to start it and we will see.

Mr. Coleman responded we bought that property 8 years ago as a foreclosure and we put our heart, money, blood, soul and curb appeal is great. Inside we redone every single room and for a 120 year old house it is in good shape now and if we tried to sell the property the first thing would be this is nice and then look next store and say thank you very much and move on.

Mayor stated feel free to give John a call occasionally and ask him what the status is.

Mr. Coleman replied he was great answering my questions today. We saw there was a car there which happened to be the building inspector. We see what goes on there and the steady decline with not only the building but the people who are actually occupying it and I realize that there is limits to Legally what you can do and especially when you have an absentee owner that is not going to take any interest in it.

Trustee Chichester asked Dave being a neighbor like that and them coming in and having comment to it can that have a positive effect on John's procedure?

Attorney legally I don't think it has any impact one way or the other.

Mr. Coleman asked would think become a topic for the Board say by the next meeting that it would be on the actual Agenda?

Mayor stated it all depends upon what happens between now and then.

Mr. Hager replied it will probably be more likely the month after that because by the time he gets notified and then a certain amount of time for a response and then the second notice will go out basically saying there could be court action and that will be enough for a hearing before the Board. That is the one that I mentioned will be posted on the building.

Mr. Coleman stated I believe when you said to me today that when I actually see it posted on the outside of the building I have legal right to go up and actually look at those notes to take notes so I am aware. I wouldn't be trust passing or anything even though our properties adjourn.

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 13, 2018**  
**Page 11**

Mr. Hager replied that is the object so that neighbors can know to come here and express your opinions about it.

Mr. Coleman stated thank you very much.

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

**SECOND** was made by Trustee Borowski

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

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 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  
Trustee Borowski

**NAY:**  
NONE

**MOTION** was made by Trustee Chichester to adjourn Regular meeting at 9:28pm.

**SECOND** was made by Trustee Borowski

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Borowski

**NAY:**  
NONE

Respectfully submitted by: \_\_\_\_\_  
Jane Leake, Village Clerk