

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
January 10, 2017
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7:00pm – Audit Bills

7:30pm – REGULAR MEETING

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 December 13, 2016 Regular Board Meeting.

MOTION was made by Trustee Farrell to accept the minutes of December 13, 2016 Regular Board Meeting.

SECOND was made by Trustee Chichester.

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

INFORMATIONAL ITEMS:

- This evenings bills were audited:

Trust & Agency	\$ 1,345.94
General Fund	\$ 63,926.17
Water Fund	\$ 37,208.74

- Upcoming Meeting Dates:
 - Zoning Board of Appeals Meeting – February 1st
 - Planning Board – January 23rd & February 27th
 - Village Board – February 14th

- 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.

- At the December 13th Village Board Meeting the Board Authorized disposal of a 100 gal chemical storage tank which was paid for but not picked up. The following morning the person showed up and retrieved the tank.

- Election Inspectors – Item 11a

- Additions –
 - 7a) Water Account Request 6150
 - 7b) Water Account Request 7325

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7c) Water Account Request 6085

7d) Approval for Bid Advertisement – Telemetry System

10a) Public Hearing for Local Law #1 2017

- We received notice from the Town of Tuxedo – a notice of public hearing amendment of comprehensive plan which is scheduled for January 23, 2017 at 7pm at the Tuxedo Town Hall.
- Monroe Clean Sweep has been scheduled for April 22, 2017, 8am at St. Anastasia Church. The area that will be concentrated on will be from 17M to basically Route 208.

Attorney Dave Darwin arrived

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report –

Police Department – see attached report - \$15.00 in Funds

Water Account Adjustments – see attached report

Court Reports – see attached reports -\$12,457.00 took in - \$9, 625 went to the Village

Building Department – see attached report

\$ 610.00	Building Permits
\$ 225.00	Violation Searches
<u>\$ 35.00</u>	Permit Extensions
\$ 870.00	Total

Building Department 2016 Year End Report – Totaling \$17,576.00

BID AWARD – SURPLUS EQUIPMENT

The Mayor stated in November the Board authorized a high bid of \$1,975.00 for a 2011 Crown Victoria that was never paid for. At the December meeting the Board authorized relisting it. It closed yesterday at 2,125.00.

MOTION was made by Trustee Daly to accept the bid for \$2,125.00 on the 2011 Crown Victoria.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

VILLAGE CLERK REQUEST

The Mayor stated to renew the NYALGRO membership of \$30.00 for the year.

MOTION was made by Trustee Chichester to approve the Village Clerks NYALGRO membership renewal of \$30.00.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

WATER SHUT-OFF's

The Mayor stated they have been notified and have until Thursday to pay or they will be turned off.

MOTION was made by Trustee Farrell to approve the water shut-offs on Thursday, January 12, 2017.

SECOND was made by Trustee Daly

WATER ACCOUNT REQUESTS

ACCOUNT 6150 - Denied for a lack of a motion

ACCOUNT 7325 – Denied for a lack of a motion

ACCOUNT 6085 – Approved due to no previous penalties

MOTION was made by Trustee Borowski to approve a one-time waiver based on no prior late fees.

SECOND was made by Trustee Farrell

TELEMETRY SYSTEM BID

The Mayor stated for several months Mr. Lanc from Lanc & Tully has been working on the specification for the new telemetry system for the water controls. It is of utmost importance we get this out to bid as the system is being run manually and is costing a significant amount of money. The bids will have to be in by 3pm on January 23, 2017, which will give time to verify everything and hopefully award it in February.

MOTION was made by Trustee Chichester to authorize publication for the Telemetry System Bid.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

LED STREETLIGHTS

The Mayor stated we have discussed a couple of times these LED Streetlights and the potential of saving money. I have questioned this company several time about what happens when a light gets broken. Obviously it is not a warranty issue. The company would not give any answers, plus what happens at the end of the warranty period. I called around some electricians with bucket trucks and you are looking at about \$500.00 for one street light. So any kind of saving you would occur there is a good possibility, especially at the end of the warranty period which is between 7 and 10 years, that you could be spending a lot of money. Who know if these new companies will be in business in a couple of years from now. I have spoken with other municipalities and they seem to be waiting to see if the pricing comes down and then if there are several municipalities jointly we can work an arrangement out with an electrician to service the municipalities at the same time and still maintain the streetlights, as well as Orange and Rockland has in replacing them. It is my recommendation that we do not move forward with this because then any saving we do see after the five years may possible be eaten up in service costs.

DEPARTMENT OF LABOR VIOLATIONS

The Mayor stated on December 14, 2016 the Village was issued a notice of violation and order to comply citation by the NYS Department of Labor based on an inspection on May 26, 2016 conducted by a Senior Industrial Hygienist. After speaking with the DPW Superintendent about these alleged Violations I immediately began to process appealing these citations due to our belief that the violations did not exist. There was also a language barrier between the Department of Labor Inspector who was asking the questions and the DPW employees. On October 7, 2016 John and I attended a Department of Labor Internal Conference to dispute the citations and within two minutes of the commencement of the meeting the DOL dismissed two of the citations. The end result was two being dismissed and the other two reworded and scheduled to be classified abated with the modified wording. As the Village was not going to be fined and the remaining two violations were going to be closed out. It was determined that it would not make sense to fight these alleged violations any further. The representative from the DOL considered all catch basins confined spaces, which they are not. At the meeting with the DOL they agreed that the catch basins are not confined spaces. It is my opinion that they need to justify their job so they left two violations which almost immediately went away. As of December 15, 2016 after a follow up inspection the DOL has issued a report that there are no violations with the Village of Harriman.

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SET BUDGET MEETING DATES

The Mayor stated I would like to offer February 7th, 21st & 28th at 7pm for Budget Meetings and set February 14th at 7:15pm to meet with the Building Inspector for his budget.

MOTION was made by Trustee Farrell to set the Budget Meeting dates of February 7th, 21st & 28th at 7pm and February 14th at 7:15pm for the Building Inspector's budget.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

LOCAL LAW #1

The Mayor stated we need to set a public hearing for Local Law #1 of 2017 on the Tax Cap Override for February 14, 2017 at 7:25pm.

MOTION was made by Trustee Chichester to set a public hearing for Local Law #1 of 2017 on the Tax Cap Override for February 14 at 7:25pm.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

ELECTION POLLING LOCATION

The Mayor stated the Election will take place Tuesday, March 21, 2017 noon – 9pm at the Harriman Village Hall, 1 Church Street. Election Inspectors need to be appointed as follows:

Chairperson – Maria Hunter, Machine Operator - Justine Sutz, Poll Workers – Marth Myers, Elizabeth Shea, Rita Aboulafia and alternate – Antony Manuelpillai

MOTION was made by Trustee Farrell to authorize the following Election Inspectors: Chairperson – Maria Hunter, Machine Operator - Justine Sutz, Poll Workers – Marth Myers, Elizabeth Shea, Rita Aboulafia and alternate – Antony Manuelpillai

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

VILLAGE OF HARRIMAN HAZARDOUS RESPONSE PLAN

The Mayor stated the only updates are adding Trustee Daly, changing the Building Inspector to John Hager and the Fire Chief of the Monroe Joint Fire District.

MOTION was made by Trustee Chichester to approve the updates of adding Trustee Daly, changing the Building Inspector to John Hager and the Fire Chief of the Monroe Joint Fire District.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

ATTORNEY REPORT

Attorney Dave Darwin stated he has updates on a few matters as follows:

- The property lot 51-1-1 involving the revert-clause. We did ask to track down the heirs of the property in which we received a list of 6 – 7 individuals located all over the Country who would have to be contacted. The title company for the purchaser has advised that in order to convey a clear title it would require a release from each of those heirs of their interest of the property. So I drafted a proposed language and sent it to the attorney for the purchaser to see if that is acceptable

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and then we would send a letter out to each of the heirs. They also require what is called an heirship affidavit which is an affidavit by one of the heirs basically providing more or less a family tree so that the title company has an assurance that there are no other heirs out there that might want to have an interest in the property.

- Bailey Farm Road – I spoke with Michael Donnelly and he asked for a copy of the punch list from 2009 which Lanc & Tully put together. He said the Town would want to be in agreement with the Village on what those items are on the punch list. He informed me that everyone is ready and willing to move forward to finalize this. One of the items on the punch list is potential encroachment on a small sliver of land where Superior Pack is. John Lance will look at it and get back to me. In our file there is a survey delineating that sliver of land. It shouldn't be a problem.
- Biz Chair Merry-Go-Rounds – I reviewed all materials received and I did some research and there are some issues that would be more appropriately discussed in Executive Session.
- The RD Management Retention Pond – I sent a letter to Brian Nugent and Mike Donnelly explaining what the situation was asking for a meeting. Nugent was not that familiar with it so he said it was something he wanted to look into and understood it was something that needed to be addressed as did Mike Donnelly.

PUBLIC COMMENT - NONE

MOTION was made by Chichester to enter into Executive Session for one Litigation item and a couple of Attorney Client Privilege issues.

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.

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

SECOND was made by Trustee Farrell

ALL IN FAVOR

MOTION was made by Trustee Chichester to approve General Code Proposal of January 9, 2017 in the amount of \$3,450.00

SECOND was made by Trustee Farrell

ALL IN FAVOR

MOTION was made by Trustee Daly to authorize Village Clerk to advise water Account 4594 of error in water billing since October 2015 and bill difference at lowest rate from October 2015 – October 2016 with additional time to pay (May 31, 2017) additional amount. The February 2017 bill will be billed at regular rate for 160,000 gallons

SECOND was made by Trustee Chichester

ALL IN FAVOR

MOTION was made by Trustee Daly and **SECONDED** by Trustee Borowski to adjourn the meeting at 8:48pm.

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk