

**VILLAGE BOARD MEETING
JANUARY 8, 2019**

**7:00PM – AUDIT BILLS
7:30PM – REGULAR MEETING**

AGENDA

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – December 11, 2018**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. RESCHEDULE - February 2019 Village Board Meeting**
- 6. SET PUBLIC HEARING - Local Law #1 2019 Tax Cap Override**
- 7. POLLING LOCATION – Village Election**
- 8. APPOINT ELECTION INSPECTORS**
- 9. SEASONAL DPW EMPLOYEE – January 2, 2019 – May 31, 2019**
- 10. EMPLOYEE HANDBOOK - Updates**
- 11. SET BUDGET WORKSHOP DATES**
- 12. WATER SHUT OFFS**
- 13. WATER ACCOUNT REQUESTS – 396 & 690**
- 14. BUDGET TRANSFERS**
- 15. 2 MAPLE AVENUE**
- 16. ATTORNEY REPORT**
- 17. PUBLIC COMMENT**
- 18. MOTION TO ENTER EXECUTIVE SESSION – PERSONNEL - ATTORNEY CLIENT PRIVILEGE**

UPCOMING MEETING DATES:

ZONING BOARD OF APPEALS MEETING:	February 06, 2019
PLANNING BOARD MEETING:	January 28, 2019
VILLAGE BOARD MEETING:	February 13, 2019

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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 Sandra Daly, DPW Superintendent John Mulligan, John Hager, Building Inspector, Police Chief Dan Henderson, Village Clerk Jane Leake

ABSENT Trustee Frank Borowski

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

APPROVAL OF MINUTES

Mayor asked if there were any changes or corrections to the minutes of December 11, 2018 Regular Board Meeting.

MOTION was made by Trustee Farrell to accept the minutes of December 11, 2018 Regular Board Meeting.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

INFORMATIONAL ITEMS:

This evening's bills were audited:

Trust & Agency \$ 1,061.52

General Fund \$ 89,628.43

Water Fund \$ 41,802.37

Attorney Darwin arrived.

Upcoming Meeting Dates:

ZBA – February 6, 2019

Planning Board – January 28, 2019

Village Board – February 13, 2019

- Brush Policy remains in effect – put at edge of property, butt end out, not in the street or on the sidewalk.
- Snow Ordinance – no vehicle should be parked on any public highway within the Village of Harriman between the hours of 11pm – 6am through April 1 and in the event of any snow fall there is no parking at all on the roads until such time as the snow has been removed.
- December 11 the Monroe Joint Fire District held an Election for Commissioner at the end of the night it was a tie vote, so they will be having another Election on January 22, 2019 between the hours of 3pm and 9pm at the Fire District Offices, 406 North Main Street in Monroe.
- We still have openings on the Planning Board and Zoning Board of Appeals - anyone interested please submit a letter of intent to the Village Clerk.

ADDITIONS:

13a) 628, 236 and 304

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- We have the completed Grant paperwork from NYS on the \$250,000 Grant that former Assemblyman Skoufis got for the Village for the new building. All we need now is a reasonable cost for the building and we can move which this Grant will definitely help with.
- We have received the Annual Financial Audit from our Auditors being complete. They did not note any issues with the way the bookkeeping is being done this year.
- In December Kenny Gopel and Danny Hedges were given Certificates from New York Conferences of Mayors for their thirty years of service to the Village of Harriman and they were thanked for it.
- NYS DOT is having a meeting next Tuesday night, January 15, 2019 at Central Valley Elementary School Cafeteria 7 – 8:30pm regarding the 131 Project. Mayor read: The Public is invited to meet the project team, share ideas, learn about this year’s construction plans and the potential impacts on traffic.

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report – took in \$15.00

Water Account Adjustments – see attached report

Court Reports – see attached reports

October	\$23,960.00	\$15,470.00 remain with Village
November	\$9,381.00	\$ 5,455.00 remain with Village

Building Department – see attached report

\$ 500.00	Violation Search
\$ 500.00	Total

RESCHEDULE BOARD MEETING

The Mayor stated the regularly scheduled February Board Meeting of February 12th which is a Village Holiday (Lincoln’s Birthday) will be moved to Wednesday, February 13th at 7:30pm.

SET PUBLIC HEARING

Mayor stated we need to schedule a Public Hearing for Local Law #1 2019 Tax Cap Override. We do this every year and every year we have repealed it because we have not gone over the Tax Cap. This is done as a precaution. Set Public Hearing for February 13 at 7:15pm.

MOTION was made by Trustee Chichester to approve setting the Public Hearing for Local Law #1 Tax Cap Override February 13 at 7:15pm.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

POLLING LOCATION

Mayor stated we need to set the Polling Location for the Village Election. Mayor read:

RESOLUTION ESTABLISHING POLLING PLACE
VILLAGE GENERAL ELECTION **MARCH 19, 2019**

RESOLVED that the Village Hall located at our temporary location of 12 Church Street, Harriman, New York is hereby established to be the polling place for all voting to be held for the 2019 Village General Election scheduled for March 19, 2019 and be it

FURTHER RESOLVED that the polls for said Village General Election will open at 12:00pm Noon and close at 9:00pm.

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MOTION was made by Trustee Chichester to approve the Resolution to set the Polling Place for the March 19th Village Election.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

APPOINT ELECTION INSPECTORS

The Mayor stated the Village Clerk would like the following Poll Workers and Machine Operators for the Village Election approved. Mayor Read:

Maria Hunter	Chairperson
Kevin McKeivitt	Machine Operator
Howard Berman	Machine Operator
Mary Owens	Poll Worker
Elizabeth Shea	Poll Worker
Alternate- Poll Worker	Mariane Page

MOTION was made by Trustee Farrell to approve Poll Workers/Machine Operators for the March 19 Village Election.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

SEASONAL DPW EMPLOYEE

Mayor stated we need to appoint Nicholas Torres to position of Seasonal Laborer from January 2, 2019 through May 31, 2019 at the rate of \$14.00 per hour.

MOTION was made by Trustee Daly to approve appointing Nicholas Torres as Seasonal Laborer from January 2, 2019 through May 31, 2019 at \$14.00 per hour.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

SET BUDGET WORKSHOP DATES

Mayor stated we need to set Budge Workshop Dates; Tuesday, February 19 7pm, Tuesday, February 26 7pm and Wednesday, February 13 7:20pm will meet with the Building Inspector.

EMPLOYEE HANDBOOK

Mayor stated the past couple of months we have been going through the Employee Handbook and have been coming up with various changes that had to be made. Some are required by the State. There have been several correction/modifications and at this time we would need a motion to adopt the changes.

MOTION was made by Trustee Chichester to adopt the changes as indicated for the Employee Handbook.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

WATER SHUT OFF'S

Mayor stated accounts have been notified, shut offs are scheduled for Thursday, January 10th if the accounts are not paid by then.

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MOTION was made by Trustee Daly to approve the January 10th Water Shut Off's.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

WATER ACCOUNT REQUEST

Account 396 – One Time Penalties Waiver

MOTION was made by Trustee Daly to approve the one-time penalties waiver.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Account 690 – One Time Penalties Waiver – Penalties in December of 2017.

LACK OF MOTION – Denied

Account 628 – One Time Penalties Waiver – Penalties in December of 2017.

LACK OF MOTION – Denied

Account 304 – One Time Penalties Waiver

MOTION was made by Trustee Farrell to approve the one-time penalties waiver and not the insufficient fund fee.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Account 236 – One Time Penalties Waiver

MOTION was made by Trustee Daly to approve the one-time penalties waiver.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

BUDGET TRANSFERS

Mayor stated per the Village Treasurer's memo

MOTION was made by Trustee Chichester to approve the Village Treasurer's Budget Transfer memo.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

2 MAPLE AVENUE

Mayor asked have you been contacted by anyone?

Attorney Darwin replied no. My recommendation would be as follows unless you have some other thoughts. I reread the Architect/Engineer Report and according to that report at least 2/3 of the building is unsafe and unsound from beyond repair. The eastern portion of the building was not quite in that state of Disrepair, but if the other two sections of the building were demolished that other section wouldn't stand on its own, so it wouldn't make sense to leave that piece up. The Board has gone through sufficiently established that based on that Architect/Engineer Report whether it meets that unsafe standard that would allow it to be demolished. My suggestion would be to formally serve the Lender and Principals that I sent

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letters out to with a notice of the Villages intent to demolish the building, if that is what the Village decides to do, they can be served. The agency of the State of New York that serves the amount of taxes and the law firm that was involved in the foreclosure procedure back in 2013 or 2014, I don't know if they are still their attorney's, but you can serve them. At least they could be on notice if they still are their attorney's. File a copy of the notice with the County Clerk so it will serve as a pendency. Put the world on notice of the Village's intent and give them an opportunity to appear. I don't think we need to do a Public Hearing. Just give them an opportunity to come inspect the building and present their findings before the Board. Then I think you can go ahead with whatever you think you need to do.

Mayor asked how long would we have to give them to contact?

Attorney replied I'd give them until the next Board Meeting. I'll get that notice out right away.
MOTION was made by Trustee Chichester to authorize the Attorney to send out the notices regarding 2 Maple Avenue.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

Mayor asked can you check with the County to see if they have imminent plans in foreclosing on it? Taking ownership of it because of taxes?

Attorney Darwin replied yes, absolutely.

Mr. Hager commented if you want me to post those notices just get them to me.

ATTORNEY REPORT

NONE

PUBLIC COMMENT –

Jim Kelly – 48 Oxford Lane – Where do we stand with the Heritage Trail?

Mayor replied last week I met twice with the Orange County's Commissioner of Parks and they are having a great deal of trouble with the bank that has the mortgage on Superior Pack Group, which they are trying to get an easement through. This is what the County is telling me. So now they want to revert back to the offer that was made to them three years ago, which is parking at the corner of River Road and North Main Street and then putting in a sidewalk along River Road and crossing the bridge. We have gone down and looked at it. We can get some parking in there without interfering with the Botanical Sanctuary that was done. That was one of my concerns when they came up with this, but we have met down there and they (County) are currently surveying the property there to see if the sidewalk can be put in without infringing upon any wetlands or anything else that would stop it from happening. If that comes up that it can be done, they are ready to move immediately on it to get it going.

Mr. Kelly stated the way you described a sidewalk walking up from that parking area where all those trees that girl put in, a side walk isn't that kind of dangerous? Just the idea of people walking along that road.

Mayor replied people walk along it now without a sidewalk.

Mr. Kelly comments I know, I'm just saying. I'm just bring it up.

Chief Hendersen replied I think with a sidewalk that is the purpose of it.

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Mr. Kelly asked where will that sidewalk be?

Mayor replied this is what they have to see. To see if there is any land there that they can fill in to get a sidewalk on the side of the road. They are looking to put in a 5-foot-wide sidewalk if they can get it in there. The goal is to get the trail opened and obviously you don't want to cross the road. If you are coming from the VFW toward North Main Street standing on that side of the road there is decent visibility. There is not on the opposite side of the road.

Mr. Kelly stated I know there is visibility, but later at night when it gets darker it could be a danger.

Mayor stated the park closes at dusk, so by rights nobody should be there.

MOTION was made by Trustee Chichester to Enter into Executive Session for a Personnel Issue with Tom McDonnough from Jackson Lewis, Attorney Dave Darwin for Attorney Client Privilege.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

Executive Session with David Darwin, Esq.

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

The following was given by Mayor Welle:

Executive Session with David Darwin, Esq. and Tom McDonnough of Jackson Lewis

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

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Farrell to set a Public Hearing for LL#2 2019 (Tax Exemptions) on February 13, 2019 at 7:15pm or as soon thereafter as it may be heard.

SECOND was made by Trustee Chichester

ALL IN FAVOR

MOTION was made by Trustee Daly effective January 10, 2019 increase the hourly rate for Krzywicki and Gopel to \$35.21 temporarily due to their increased responsibilities at the DPW. Krzywicki will be in charge of water related items and Gopel will be in charge of all other DPW activities.

SECOND was made by Farrell

ALL IN FAVOR

MOTION was made by Trustee Chichester to adjourn Regular meeting at 9:35pm.

SECOND was made by Trustee Farrell

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk