

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
JANAURY 28, 2014**

7:00 P.M. – REGULAR MEETING

ROLL CALL:

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Lawrence Mosca, Trustee Christine Sacher, 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 14, 2014 Board Meeting. There being none, the minutes were accepted as written.

INFORMATIONAL ITEMS:

- Upcoming meeting dates:
 - Zoning Board of Appeals Meeting – February 5, 2014
 - Village Board Meeting – February 11, 2014
 - Planning Board Meeting – February 24, 2014
- 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 Centennial Celebration is being planned for the Village on October 11, 2014.
- Mayor Welle stated that yesterday he attended a press conference with Senator Schumer regarding the Route 32 traffic lights supposedly there is new technology which increases the efficiency and if the State applies for them they will get 100% Federal reimbursement. He is recommending it to the Federal Transportation Council (Mayor stated not 100% sure of the name of it) and Senator Schumer is also recommending that the State apply for it. It would change the four lights from the Commons entrance heading back to the Thruway. He also stated that the only real fix is for the intersection to be done in the clover leaf.
 - Trustee Sacher asked what does it mean, change the lights.
 - Mayor Welle stated just replacing them with new technology
 - Mayor Welle stated that Senator Schumer stated the only real fix is the interchange, which he stated the Federal money has been there for but the Governor has pulled back on.
- Mayor Welle stated he attended the Town of Monroe Board meeting last night, they voted for joint lead agency with KJ on the annexation. The School Board is opposing it. It will ultimately land up in the hands of the DEC to make a determination on who is the lead agency. It is up to us to watch that the SEQR and EIS and everything is done.
 - Trustee Sacher asked so two Municipalities can be lead agency.
 - Village Attorney stated well, we were in a lawsuit with the Town of Monroe, where we were the lead agency for our legislative action and the Town of Monroe was for their legislative action.
 - Ben continued to talk, of other municipalities that two municipalities have taken lead agency on the same matter and stated that since history teaches him that since it is a legislative act each body can be their lead agency and no one can take that lead agency away from them. The Village

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INFORMATIONAL ITEMS: (Cont'd)

Attorney and Village Board continued to discuss how Kiryas Joel has not been forth coming with information or in compliance with rules in the past.

- Mayor Welle stated we received a Grant from the Orange County Water Authority a couple of months ago for leak detection from NY Leak Detection and they did come in and find one water main leaking and four hydrants which were leaking. They have since been repaired. We do appreciate getting that grant because for years we had it every year and then the County had stopped it and it does give us the opportunity to find things that otherwise would not surface for a while.

EXTENDED WARRANTY – POLICE VEHICLE:

Mayor Welle stated that a few meetings ago the Board approved an extended warranty on the 2010 Tahoe when the Chief called to place the order it was discovered that they did not sell extended warranties on Police Vehicles after market. Only time you could purchase one was when the vehicle was new and we have not been able to find another reputable outfit to purchase an aftermarket warranty. So we need a MOTION to withdraw the MOTION on purchasing an extended warranty on the 2010 Chevy Tahoe.

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

SECOND was made by Trustee Mosca.

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

TAX CAP OVERRIDE:

Mayor Welle stated we need to set up a Public Hearing for February 11, 2014 at 7:15 pm to authorize the Tax Cap Override as we have done the last few years. Again this year this is a recommendation from NYCOM that Municipalities do this due to the fact that we don't know until afterwards if all the numbers and information from the State have been correct. So just in case a mistake is made the Municipality is covered. It is not any intention to go over the 2% Tax Cap. It is just a protection measure.

MOTION was made by Trustee Chichester to set up a Public Hearing as outlined by the Mayor.

SECOND was made by Trustee Shuart.

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

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NEW WATER TANK:

Mayor Welle stated the Village Board has approved a bid and we need authorization that we can withdraw up to \$550,000. From the Water Reserve Account toward the new water storage tank this will be subject to a 30 day Permissive Referendum

MOTION was made by Trustee Shuart to approve the Permissive Referendum and to authorize the Village Clerk to publish a 30 day Public Notice for a 30 day Permissive Referendum as outlined by the Mayor.

SECOND was made by Trustee Chichester.

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

STOP DWI GRANT:

Mayor Welle stated this is for 2014 Orange County runs March 13, 2014 thru January 1, 2015 the first period is \$2445.00 for Stop DWI Enforcement, the Second and Third period is to be determined and we are also eligible for \$1952.00 for a separate Stop DWI Crack down Enforcement Grant. We need a Resolution from the Board to accept this Grant with the additional Grant funds and authorizing the Mayor to sign this contract on behalf of the Village.

MOTION was made by Trustee Shuart to authorize the Mayor to sign the DWI & Crack down Funds Contract with the County as outlined by the Mayor.

SECOND was made by Trustee Chichester.

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

ATTORNEY REPORT:

- Mayor Welle stated that he has received correspondence from the attorney for the Monroe Joint Fire District regarding a coordinated review for purchase of property. The Fire District is looking to purchase property at the corner of Short Street and 17M. They are looking to purchase 0.6432 acre parcel, they are looking to declare themselves lead agency for the purchase of the property. Village Attorney Ben Ostrer stated there is really nothing for us to do, we can let them be lead agency but the Village Board should request that we be notified of all proceedings related to this matter so that they do not take an action without notifying us as to what is happening. Ben stated, but we do not have to seek lead agency, just send a short letter to Frank Simeone their attorney stating we do not have to be lead agency but requesting to be notified of any actions.

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ATTORNEY REPORT: (Cont'd)

MOTION was made by Trustee Chichester as to send a letter as outlined by the Village Attorney
SECOND was made by Trustee Shuart.

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

- Mayor Welle stated that we have had further issues with 61 Oxford Lane it has been vacant for some time now.
Trustee Sacher asked is that the one with the fence and in ground pool.
Mayor Welle stated yes it is, we had the mortgage company/bank that was being responsible for a while but they have not been responsive as of late. Mayor asked Village Clerk if she had heard anything after we spoke. Village Clerk stated she yes that the company would put a request in to have someone look at the property and the woman on the phone really did not want to give me, her name.
Trustee Mosca asked what were the issues with the property.
Mayor Welle stated they keep breaking the locks off going to the in ground pool and keep breaking into the house and it appears they are smoking illegal substances.
Trustee Sacher stated it is a shame it is a nice house.
Mayor Welle stated the fear is someone is going to get hurt, or someone is going to fall in the pool, or someone is going to do something to keep themselves warm and we are going to land up with the Fire Department there and there are two houses right next to it. Mayor Welle asked Ben if he had any suggestions at all. Mayor Welle stated and we do not want to own it. Village Attorney Ben Ostrer stated then you do not want to condemn it, you really just have to stay after the bank or whoever has the property. Ben asked is someone paying the taxes. Mayor Welle stated we will check that. Ben stated, it is a Village property, if no one is paying the taxes it will ultimately go off at Orange County Auction. He continued, we can make a declaration of public health and have the place boarded up and secured and put the cost onto the tax bill, then we will get the money back from the County or the tax payer when they pay it. Ben stated but you do not want to condemn it and own it. If taxes are not being paid I would recommend contacting John McCarey Orange County Director of real property tax services and see if he can accelerate the process.
- Mayor Welle stated next is 7 Berwynn Road you are going to send them a letter regarding their failure to pay will result in water turn off. Ben stated yes we meet about this; this is outside the Village so we cannot put on tax roll, so we will send them a letter.

PUBLIC COMMENT:

There being no comments.

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MOTION was made by Trustee Chichester to enter into Executive Session to discuss a personnel issue with the Judge and/or the clerk to the Justice and litigation.

SECOND was made by Trustee Shuart.

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 Village Attorney Ben Ostrer, Judge Wienberg and Clerk to Justice.

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

MOTION was made by Trustee Mosca to schedule a Public Hearing on February 11, 2014 at 7:15 pm or as soon after as possible to consider Water Rate increases Local Law #2 of 2014.

SECOND was made by Trustee Chichester

ALL IN FAVOR

A **MOTION** was made by Trustee Shuart and **SECONDED** by Trustee Chichester to adjourn the meeting at 8:25 pm.

ALL IN FAVOR.

Respectfully submitted by _____

Kelly Kearney, Village Clerk