

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
July 11, 2017
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**6:45pm – Audit Bills
7:15pm – Public Hearing – LL#4
7:20pm – Public Hearing - Frontier Communication
7:30pm – REGULAR MEETING**

PUBLIC HEARING

The Mayor read the following:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing applicable to a proposed local law entitled Amendment to Village Code § 132-40, Article VI, Schedule VI, Schedule of Prohibited Turns: Proposed Local Law # 4 of 2017”: at the Harriman Village Hall located at 1 Church Street, Harriman, New York, on July 11, 2017 at 7:15 pm.

This local law, if adopted, will prohibit right turns from North Main Street onto Short Street by vehicles traveling southbound on North Main Street. The proposed local law amends said Article VI, Schedule VI by adding this prohibited turn to the existing list.

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.

Mayor asked were there any written comments?

Ms. Leake replied no.

No public comments.

MOTION was made by Trustee Farrell to close the public hearing on Local Law #r.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Mayor stated Public Hearing is closed.

Respectfully submitted by: _____
Jane Leake, Village Clerk

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PUBLIC HEARING

The Mayor read the following:

PLEASE TAKE NOTICE that Frontier Communications of New York, Inc. has filed an application for a cable franchise to offer cable/video service in the Village of Harriman, Orange County, New York.

A public hearing upon said franchise application has been scheduled for the 11th day of July, 2017 at 7:20 P.M., to be held by the Harriman Village Board at the Harriman Village Hall, 1 Church Street, Harriman, New York. An opportunity to be heard in regard thereto will be given. Written comments may also be directed to the Harriman Village Clerk on or before the 10th day of July, 2017. The agenda for the public hearing will include:

Introduction – Frontier Communications (“Franchisee”) application for franchise agreement.
Presentation by Frontier Communications: description of services, summary of application.
Contents of franchise application; completeness; compliance with applicable NY State regulations including 16 NYCRR § 894.5; adequacy and feasibility of Franchisee’s plans for operation of a cable television system.
Franchisee’s technical ability, financial condition and character.

A complete copy of the text of the application is available for inspection and/or copying, Monday through Friday during regular business hours, at the Office of the Village Clerk of the Village of Harriman, 1 Church Street, Harriman, New York.

Mayor asked did we receive any written correspondence?

Ms. Leake replied no.

Ms. Maroney Director of Operations for Upstate New York stated currently Frontier is in the video market where we fiber the homes with copper and fiber in Connecticut, Minnesota, North Carolina, Illinois and coming soon Southern New York. We did just recently receive approval for several Towns in the New York State Area where we will shortly be rolling out Vantage TV. Vantage is powered by Ericsson Media Com. That is the fastest box that is out there. If you go to a hotel and you change the channel and 10 minutes later the channel changes, well this is instant. The picture quality is extreme. It is capable to work with fiber to the home and network. It has standard definition and height, superior quality, Wi-Fi enable and what we do is bring it into the home on the main box and do it wirelessly throughout the home. It is live broadcast. Video and demand library, total home DVR that records up to six shows at once and it would let you pause, rewind, playback and store over 370 hours of HD. This is the fastest thing that is out there right now. One DVR, one experience, any receiver. Some of the advantages instant channel change, Multiview (you can watch 6 channels at the same time) find movies and videos. Record on one DVR and watch it on any TV in the house. Right now I personally have dish-network and I can record on one but I can only watch it on one TV or else I would have to buy another DVR unless I get the hopper. It is unique and intuitive. You can program your DVR from your PC, smartphone or tablet and you can watch anywhere. It has a new guide that comes

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with it which looks a little different, you just press enter and you get all the options. Channel Peeks

which allow you to see a little bit of what is going on, enhancing browsing, uninterrupted viewing, easy was to preview currently airing programs and you can search for stuff which is very fast.

Sid, Local Manager stated with regard to picture quality it is crystal clear. I have direct TV currently picture quality is good but not as good as this. The interactive guide is similar to like Netflix so when you type in a few letters it will automatically look for it. With regards to the build out we already have the equipment. For the past several months we have been putting in new electronics at our little cabinets and offices so there is no interruption with service or any build outs that would take place. I know some of the municipalities are concerned with that.

Ms. Maroney continued stating similar to Netflix you can go to Amazon Prime though our UI on the TV. So what does this fine line mean to your community? It is the next generation video experience. It is a competitively price alternative to cable. No inconvenience to the public, everything is there. We are not digging up the highway or anything like that we just change over electronics and make the area capable of giving Vantage TV and it will increase your franchise fees. So the process looks like this we file the application in June 2016 this is the Public Hearing, you formally agree or disagree, then we file with the PSC and they discuss it which take approximately 3-4 months and then you have service. PSC did put some conditions on approvals that they gave us. One was that some locations have PEG channels they wanted them up and working day one so that is taking us a little bit to get them up and running. I would say in the next month or so you will probably see us launching it in some locations.

The Mayor stated I know the attorney has been working with Mr. Philips on a number of issues in the agreement that have to be worked out. Since there is no public hear to ask questions tonight one of my questions has to do with, assuming this all goes through, when you get a customer base what are you going to do about your repair services because that is absolutely abominable to get through. If you do not have a Frontier number there is no option. They want your Frontier telephone number.

Ms. Maroney asked if you are having a physical problem?

Mayor replied if you are calling repair you get recordings and then not getting responds when you have a serious situation in the room and having to call back and go through it all again and then threatening to cut your cable to get someone out – it not a good way to do business.

Ms. Maroney replied for sure. I regret that happened. How it should work is anytime you get into our call center and they don't know what to do ask for a Supervisor and the Supervisor should handle the matter.

Mayor stated couldn't get to a person.

Ms. Maroney responded I understand that Sid was on vacation but now you have my contact information. On my card is my email address and pretty much when I'm on vacation I keep an eye on my email. So we will react to that.

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Mayor stated my concern moving forward is repair service because something is going to break and we know that and if people are getting frustrated and especially with a new product and they are having trouble getting to repair service they are going to be coming here.

Sid responded to your point it is one thing if you have my number directly. So what we will have to do is have that conversation on the back end. One of the biggest things for us we understand, but this is a big deal for us let's be clear. This can change the company in a big way so we want to do everything possible to put ourselves right foot forward. We have had conversations with regard because we are putting this out there and we want to be able to service our customers and get it taken care of in a timely manner. No just the install and they say we are done have a good day, no. So that is something we will take back.

Ms. Maroney stated we are in the fortunate position of being very close to Connecticut. Their very big on Vantage TV already and actually have a surplus of employees to a certain extent. SO if I look at my boss and say, I need help keeping up with a repair. We will not let this fail. Vantage will be our priority. This is a game changer for us. We have been through a lot this year, purchasing California, Texas and Florida properties from Verizon which was truly the right move for our company but it has been slightly painful and it has been reflexed in the products, stock and it is public information. I think a lot of that is behind us now and we have done somethings financially that has put us in a better position and we think Vantage is going to be a good thing for us. So we are with you, we are concerned about repair and we will do everything to be successful.

Mayor stated one of the things we have to be weary of is our franchise with Cablevision who calls for an equal playing field. So we have to ensure that all of that is being addressed.

Ms. Maroney replied one thing that has come up in other communities and we have been able to address it.

Mayor asked Dave have you heard any more back from him yet?

Attorney Darwin replied Peter Gannon for one of the attorney's for Frontier that was one of the issues I had discussed with him. The level playing field requirement does not necessarily mean apples to apples because the services aren't identical to each other. We also talked about incorporating some of the terms and conditions that are in the Cablevision contract into the contract with Frontier when we get to that point. He said they are open to looking at those things when we get to the point of renegotiating the contact

Trustee Chichester stated you mentioned in your presentation Dish and Direct TV in Harriman is Cablevision so many of our residents are going to start comparing their Cablevision with this so what are they going to look at. They are going to look at what Channel list you have, what serves and I was just wondering that you were very neglectful not mentioning your comparison to them at all which is basically what Harriman is going to look at.

Sid replied I previously had Cable before and I can definitely tell you that separate from pricing and all that, but with regard to internet service and that was reliable, what we have here is better without a doubt. In regards to the package as far as network program and all that stuff it is all going to be the same. I believe it is coming out of the NYC metro area just like optimum does as well so you are not really missing much of a difference as far as channel line ups go. However, I would say that picture quality, liability and all that stuff you are going to see that this is better.

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Trustee Chichester stated there are certain levels of service that you can contract for. Different movies, sport packages and such.

Ms. Maroney responded when we get ready for the roll out then we would let you know what our channel line-up consists of if that is information you would like to have. I just wanted to step back for a second when I say examples of Dish Network and Direct and Optimum that is based on our personal experience. Channel line ups change a lot don't they?

Trustee Chichester replied no.

Ms. Maroney stated the cable companies and dish satellite companies negotiate with channels and every once in a while you see these we no longer carry this channels because they want to grade our pricing.

Trustee Chichester responded I am just surprise because here you are coming into our community which has optimum and you are not aware of what you are going in to compete against.

Sid replied I am a local guy so with regards that I have had optimum before beside that I had Time Warner Cable so I absolutely understand based on my experience this is going to pop. In regards to the channel line-up you have a standard and it is coming out of NYC. For Optimum we have Cable12 News and with Time Warner when I had it we had 6 which was the local news station so that is what I would compare it to and with regards to that product wise what we don't have and you will see and we will be very competitive regarding pricing and all that is because we are just entering the market and we want to get as much take away as we can right of the bat and literally cut Optimum and Time Warner as quickly as we can.

Trustee Chichester stated I don't mean to appear that I am on the attack but if we are going to accept this and offer it to our residents there has to be a package.

Ms. Maroney replied I think you will be very pleased with it and we can get you that information.

Mayor stated it is a matter of for us to accept the franchise, it doesn't matter what the package is that is up to them to sell it afterwards.

Trustee Chichester replied I understand, but it is part of it.

Trustee Borowski responded to Bruce's point a big offering for Optimum is the triple play. So do you base on your acknowledgement in comparison to Optimum is that something you would forecast.

Sid replied absolutely and we would have a pack for single play, double play or triple. Whatever the customer wants is what we are going to want to sell to them.

Attorney Darwin stated you mentioned PSC attached some conditions to the approval of the other several that were recently approved you mentioned one of them do you know what the others are.

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Ms. Maroney replied just really the PEG Channels were really the one. The other ones were more minor in nature. You can ask Jack he would have the more specifics on that.

MOTION was made by Trustee Chichester to close the public hearing on Frontier Communications

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Mayor stated Public Hearing is closed.

Respectfully submitted by: _____
Jane Leake, Village Clerk

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ROLL CALL

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Sandra Daly, Police Chief Dan Henderson, Village Clerk Jane Leake, Building Inspector John Hager and Village Attorney Dave Darwin

ABSENT and EXCUSED: 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 additions to the minutes of June 13, 2017 Regular Board Meeting.

MOTION was made by Trustee Farrell to accept the minutes of June 13, 2017 Regular Board Meeting.

SECOND was made by Trustee Chichester.

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

INFORMATIONAL ITEMS:

- This evenings bills were audited:

	<u>2016- 2017</u>	<u>2017 -2018</u>
Trust & Agency	\$	\$ 1,345.94
General Fund	\$ 7,980.88	\$ 53,127.01
Water Fund	\$ 10,756.64	\$ 20,466.02

- Upcoming Meeting Dates:

Zoning Board of Appeals Meeting – August 2nd

Planning Board – July 17th & August 21st

Village Board – August 08th

- On Saturday June 17th we had a dedication of the Edward B. Shuart Jr. Memorial playground. It was very well attended, it went off very well and everyone involved did a nice job.
- We are continuing the Back to School Supply Drive. We have a lot of donations already of school supplies for under privileged children and we will continue to do so right through the end of August. We will be delivering them to the school the beginning of September and they will distribute them as they see needed. Feel free to drop any and all school supplies here to the Village Hall or if it is out of hours at the Police Station and we will get them.
- Reminder – Brush Policy – brush is to be placed at the edge of your property, not in the street with butt ends sticking out.
- Orange and Rockland has notified us that in the month of July they will be doing tree trimming on most street within the Village of Harriman.

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- On June 21st the Deputy Mayor, Planning Board Chairwoman and one of the Planning Board Members and I attended the Public Hearing in Woodbury on their scoping for the Garden at Harriman project the applicant is very ambitious and will see where it goes.
- The DEC Notice of Complete Application the extension of the water service for the Melody Lane Properties which is the Mercedes Dealer that has been published in the newspaper as required.
- Orange County Department of Health Annual Water Supply Inspection was completed over two days and there were a couple of deficiencies which were mainly addressed immediately. There are a couple that are long term issues which the Village is continuing to work on.
- The new playground in Mary Harriman Park has been completed thus has the new sign has been installed and we have gotten several comments regarding the new equipment as well as a thank you note with a couple of pictures from one of the residents children enjoying the improvements.
- ADDITIONS – Water Accounts:
 - 14d) 6095
 - 14e) 7015
 - 14f) 3015
 - 14g) 7308

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

Building Department – see attached report

\$ 425.00	Building Permits
\$ 700.00	Violation Searches
<u>\$ 50.00</u>	Building Permit Extensions
\$ 1175.00	Total

FRONTIER COMMUNICATIONS

The Mayor stated there are still some issues that need to be worked out with the franchise agreement before we can move forward and adopt a resolution.

VILLAGE VIEW ESTATES

Jay Myrow, Attorney of Blustein, Shapiro, Rich & Barone stated Village View Estates is appending subdivision from you Planning Board and that has preliminary approval and we are approaching the finish line, Hope to be back in front of the Planning Board to get a final approval for the project. We think we have attained most of our agency approvals and we are hoping for the best here. I understand there are a few issues that the Village Board is going to have to take up that relate to the project. We came here to show you what the project is and to outline what we may need from this Board in conjunction with our conditional final approval. I think there are basically three issues: one is we are going to form an Improvement District to maintain and tax the maintenance of the drainage infrastructure with an easement through pipes and by forming the Improvement District that would be able to be passed on to all the Homeowners in equal shares. I spoke to Attorney Darwin about that today to see what mechanism would be used to accomplish that. The other issues were regarding the road system. It is to our understanding that the Village Board will accept the roads as Village streets once they are constructed that would be condition of our final approval. We need some indication from the Board that in fact would happen.

Mayor stated if they are constructed to the Village Code.

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Mr. Myrow replied that is a given. We are going to offer them for dedication. We are going to build them have Engineer passes on them and you can record your deed. The other issue is that the road coming out stubs at the Village line and passes through the parcel (referring to the map) which is in the Town. So it is the intention to offer the dedication of this strip (referring to map) to the Town and I am going to let the Mayor to what may or may not work out with the terms of snow plowing and maintenance of that strip.

Mayor replied we have not worked anything out with the Town Board because at this point in time it would be an impossibility. We have spoken with the Highway Superintendent and in all probability the Village will plow in and plow out.

Mr. Myrow stated so at some point there will be a final resolution on that. I am assuming based on the distance of the area, it is not a significant issue, it will be worked out.

Mayor replied absolutely. The big issue is the retention pond and everything feeding into them because they can become nightmares over time and it has been felt for many years that there should be some sort of Drainage District or Improvement District so that it is administered by the Village of course, unless you are going to have a Homeowners Association. It is administered by the Village and those are the people that are taxed for it and obviously in their purchase price there will be money that will start a fund for it because no one is expecting a catastrophic failure in the first five years, but it is always a possibility and then this annual maintenance has to be done.

Mr. Myrow stated so obviously there is no expense to the Village. That entire infrastructure will be built and then once they are constructed I don't know if you have a maintenance bond or not that remains in place, but if there is it will be posted and whatever arrangement that have to be made to protect the Homeowners and Village is what we will make sure happens.

Mayor stated it is probably a Planning Board issue, but I remember from looking at the plans a lot of these draining pipes go through backyards, etc. are there going to be easements recorded on the deeds?

Mr. Nasher responded there is a pipe between lots 24 through 7. The easement is here (referring to map) going to the pond. The old plan had a retention pond. What it is – it is a wet pond. We changed the design to a dry pond and we have designed it to be dry over 48 hours. The design model shows that it should be dried within 4-6 hours so if you are looking for the maintenance it will be dropped down a lot because a dry pond is just like cutting the grass and mowing.

The Mayor stated maybe it changed over time, but there were a lot of pipes in the backyards of those houses originally. So that was another concern.

Mr. Nasher responded the only pipe we have is through the easement and it is going directly into the catch basin.

Mayor stated that would be up to you Mr. Myrow to work out with Mr. Darwin.

Mr. Myrow asked Dave can you confirm that to the Board has the authority to form the Improvement District.

Mr. Darwin replied I believe it does. The Village Law 4-412 and Village Law 22-2200 there is at least one code opinion that the Village does have the authority to establish a drainage ditch and assess the properties that benefited there by the cost of that ditch. So I think the Board has the authority. We have to talk about the mechanism to get that going.

Mr. Myrow stated Dave and I have discussed how we are going to get it in front of your Board and we will finish the discussion and get it in front of the Board.

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Mr. Nash commented that John Russo is waiting to hear from us and once satisfied he will give us the MS4 and give us approval and then we will apply for the DEC permit.

Mr. Myrow stated we may have people from the Planning Board or outside agencies asking if this plan works for the Village Board if we have your blessing and approval to pass that on.

Mayor replied yes. Where are you with the Orange County Sewer District?

Mr. Myrow replied Dave Ziegler knows.

Mayor stated the capacity is flying out of there quickly.

Mr. Myrow responded I will ask Dave about it tomorrow.

Trustee Chichester commented we host the plant so we are very aware and concerned with it.

Mr. Myrow replied we will take whatever action we have to.

VILLAGE COURT CHECKING ACCOUNT ANALYSIS

The Mayor stated we need to adopt a Resolution on the Village of Harriman Justice Court Analysis of Checking Account and provided by the Village Treasurer if there isn't any objection it needs to be accepted as complete for the fiscal year June 1, 2016 – May 31, 2017

MOTION was made by Trustee Chichester to adopt the Resolution on the Village of Harriman Justice Court Analysis of Checking Account for the fiscal year of June 1, 2016 – May 31, 2017.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Daly	
Trustee Borowski	

WOODBURY HIGHWAY DEPARTMENT REQUEST

The Mayor stated Woodbury had requested that we send a DPW Employee and a vehicle to their Independence Day Celebration which was on July 1st which I contacted the Board and the Board was in favor.

MOTION was made by Trustee Chichester to approve the Woodbury Highway Department Request for their 2017 Independence Day Celebration.

SECOND was made by Trustee Daly

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Daly	
Trustee Borowski	

May 9, 2017 MINUTES - CORRECTION

The Mayor stated there is a correction on the May 9, 2017 minutes. The date was in inadvertently put in incorrectly.

MOTION was made by Trustee Chichester to approve the May 9, 2017 minutes correction

SECOND was made by Trustee Farrell

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Daly	

PARK REQUESTS

Wrenn – July 29, 2017

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MOTION was made by Trustee Farrell to approve the Wrenn Park Request for July 29, 2017. **SECOND** was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

Ramirez – September 9, 2017

MOTION was made by Trustee Farrell to approve the Ramirez Park Request for September 9, 2017.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

Khair – July 4, 2017

The Mayor stated they had come in for July 4, 2017. As per what we have done in the past they were allowed – looking for Board approval knowing it was already past.

MOTION was made by Trustee Chichester to approve the Khair Park Request for July 4, 2017.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

DELINQUENT WATER ACCOUNTS

The Mayor stated the delinquent water accounts are scheduled for shut offs on Thursday if they are not paid for by then which is in conjunction with the Village Code.

MOTION was made by Trustee Chichester to approve the delinquent water accounts shut offs.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

SURPLUS EQUIPMENT BIDS - AWARDS

The Mayor stated at the last meeting we put three vehicles out for bid. The first one was a 1989 Ford Johnson Sweeper and the high bid was \$3,500.

MOTION was made by Trustee Farrell to accept the bid for the 1989 Ford Johnson Sweeper at \$3,500.00.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Mayor continued the second one was a 2012 Chevrolet Caprice and the high bid was \$7,900.00.

MOTION was made by Trustee Chichester to accept the bid for the 2012 Chevrolet Caprice at \$7,900.00.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Mayor continued the last one was a 2010 Chevrolet Tahoe and the high bid was \$7,400.00

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MOTION was made by Trustee Chichester to accept the bid for the 2010 Chevrolet Tahoe at \$7,400.00.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

LOCAL LAW #4 2017

The Mayor stated this will, if adopted, prohibit right hand turns from North Main Street heading South onto Short Street.

MOTION was made by Trustee Chichester to adopt Local Law #4 2017 prohibiting right hand turns.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

WATER ACCOUNTS REQUEST

Account # 1280

MOTION was made by Trustee Farrell to approve a one-time waiver on account 1280.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Account # 7125

MOTION was made by Trustee Chichester to approve a one-time waiver on account 7125.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Account # 6235

MOTION was made by Trustee Farrell to approve a one-time waiver on account 6235.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Account # 6095

MOTION was made by Trustee Farrell to approve a one-time waiver on account 6095.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Account # 7015

LACK OF MOTION – Denied

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Account #3015
LACK OF MOTION – Denied

Account # 7308
LACK OF MOTION – Denied

STREET SWEEPER PURCHASE

The Mayor stated at the last Board meeting it was authorized to spend up to \$300,000 on a Street Sweeper. The Street Sweeper we ordered came in at \$292,838.15. We were able to get an extended warranty on the truck itself and on the sweeper.

VEYOEL MOSHE GARDENS PUBIC HEARING

The Mayor stated we received the draft generic environment impact statement on Veyoel Moshe Gardens. They have scheduled a Public Hearing for Sunday, July 23, 2017 at 3pm in their Village Hall. There are several issues that a concern to the Village of Harriman and I have outlined and will be meeting with them prior to the Public Hearing. There is a serious concern regarding sewer capacity once they are complete

ATTORNEY REPORT

Attorney Darwin stated the sale of that parcel made a little bit of headway. I spoke with one of the heirs who lives locally and explained to him what we are trying to do and what the issues are and he said he would be willing to sign the release. Also the heirship affidavit that the Title Company wants and look at the list of the other heirs to let me know if we have the correct addresses on them I did send again the heirship affidavit and the release to the buyers title company person. I still haven't heard back. I would really like to get a little feedback before I send these out to everybody and he could send them out to sign, then come back and tell us this is not satisfactory.

Mayor stated so you need someone from the buyers Title Company to contact you.

Mr. Darwin replied yes and to tell me that they looked at the draft and it is acceptable. I did speak to someone there and I emailed them to her. She is one of the staff there but it has to go to the principal of the Company for final approval.

Mayor stated I will contact the buyer and see if he can get them to move.

Mr. Darwin continued you asked me the last time about the issue with the subdivision section 103 some judgements. I did reach out to the attorney representing the municipality with regard to the largest judgment and I am waiting to hear back on that. The others are small and not as critical as the larger one.

Mayor asked about the DOT Resolution regarding Exit 131?

Mr. Darwin replied I spoke with someone at the DOT and went over the draft Resolution with him and opposed an aggrievement and told him some of my questions and concerns were and some of the changes I would like to see. He didn't think they would be a problem but he needed to go to Albany to get feedback from and then get back to me. I asked him if it needed to be voted on today and if not it would be another month. He said it was not an issue so hopefully he will get back to me before the next meeting.

Mayor stated I will keep it there for next month.

Mr. Darwin commented he did confirm that his view is that all of the costs would be paid for by the State.

Mayor stated that is how it was explained several years ago when this all started because we had a concern with the water mains.

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Mr. Darwin responded I told him I would like to tighten up the language a little bit if that is the case and why not put it in writing and he didn't see a problem with that.

PUBLIC COMMENT

None

MOTION was made by Chichester to enter into Executive Session with David Darwin, Esq. for litigation item, Attorney Client Privilege and one item with the Police Chief.

SECOND was made by Trustee Borowski

ALL IN FAVOR

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

The following was given by Mayor Welle:

Executive Session with Chief Henderson

MOTION was made by Deputy Mayor Farrell to adjourn Executive Session and return to the Regular Session.

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Chichester to approve the General Code Proposal (7/6/17) to add the Village Code to the new Building Department Software and **SECONDED** by Deputy Mayor Farrell.

ALL IN FAVOR

MOTION was made by Trustee Daly and **SECONDED** by Trustee Chichester to adjourn the meeting at 9:25pm.

ALL IN FAVOR

Respectfully submitted by: _____
Jane Leake, Village Clerk