

**VILLAGE OF HARRIMAN, NEW YORK  
VILLAGE BOARD MEETING  
July 14, 2015**

**6:00 P.M. – Audit of Monthly Bills  
7:30 P.M. – REGULAR MEETING**

**Regular Meeting:**

**ROLL CALL:**

Mayor Stephen Welle, Deputy Mayor Ed Shuart, Jr., , Trustee Colleen Farrell, , Secretary Jane Leake, , Village Attorney Ben Ostrer, Absent and Excused; Trustee G. Bruce Chichester, Trustee Frank Borowski, Police Chief Dan Henderson & Building Inspector Ronald Walker.

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 6/9/15 Board Meeting. There being none, the minutes were accepted as written.

**MOTION** was made by Trustee Shuart to accept the Village Board Minutes of 6/9/2015.

**SECOND** was made by Trustee Farrell.

**AYE:** Trustee Shuart                      **NAY:**  
Trustee Farrell                                      NONE  
Mayor Welle

**INFORMATIONAL ITEMS:**

- Upcoming meeting dates:
  - o ZONING BOARD OF APPEALS MEETING: August 5, 2015
  - o PLANNING BOARD MEETING: August 17, 2015
  - o VILLAGE BOARD MEETING: August 11, 2015
  
- Bills were audited:
  - 2015/2016**
  - \$ 52,870.11 General Fund
  - \$ 31,234.38 Water Fund
  - \$ 3,191.02 Trust & Agency
  
- The annexation Public Hearing was June 10, 2015. Deputy Mayor Shuart, Trustee Chichester & Mayor Welle attended. The Village did file a statement on the DGEIS. This will be an on-going deal for quite a while. There have been several meetings which I have attended with Local, County and State Officials regarding the annexation.
- The Orange County Department of Health inspected the modifications of the Lizda and River Road Well houses and approved them to return to service on June 24, 2015.
- Spoken with the NYS DOT regarding Route 17 by Nepera and was informed that in a month or so that section should be milled out and repaved and they have also promised to paint over the graffiti on the bridge.
- I contacted Richard Rose in regards to the Heritage Trail extension, extending towards Middletown. In contrary of what we were told in the past, the lease the County has is not a long term lease. It is only five years at a clip so they don't want to spend money for the section from Monroe to Harriman. They don't want to invest money on something that may not be long term.
- Met with the County in Delaware Engineering and other Local Municipalities regarding the Orange County Sewer District Capacity Study and should be meeting again before the end of the summer.
- The Annual Drinking Water Quality Report for 2014 has been mailed out.
- We have one addition to the Agenda for this evening – Item 22 a) Lizda 2 Well.
- The Orange County Department of Health has contracted with a firm to do larvaciding of the catch basin this year. They will be in Harriman the end of July beginning of August. This is to prevent mosquito breeding in the catch basins.

- The new Brush Policy went in to effect June 11, 2015. Brush will be picked up once a week – Monday mornings. We ask that the brush not be tied any longer. Place it at the end of your property not in the street or blocking the sidewalks and the butt end out.
- We received the Final Environmental Impact Statement from Woodbury on Cabela's.
- The plan for the water transmission line from the North Main Street Well to the Mary Harriman Wells has been submitted to the Department of Health for approval. There has been ongoing dialogue between the Village Engineer and the Department of Health in regards to that.
- In the July 3, 2015 Marketplace there was an ad for the Town of Monroe Movie Theater and in it they included the July 4<sup>th</sup> fireworks. This Village Board authorized money going to the Village of Monroe for the Fireworks display not to advertise for the Movie Theater. A letter was sent to the Town of Monroe and the Supervisor and as usual we have not received a response.

**DEPARTMENT REPORTS:**

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report. Took in Funds of \$15.00.

Water Account Adjustments – see attached report

Building Department – see attached report

\$ 4,550.00 Building Permits

\$ 125.00 Certificate of Compliance

\$ 600.00 Municipals

**GENERATOR BID – CARRIAGE HILL BOOSTER STATION:**

The Board has approved a new generator that is properly sized. The bid documents were properly prepared and the bid opening was on July 9, 2015. We had one bid. Therefore, the Village Engineer recommends that we accept the bid from Peak Power Systems Incorporated for a contract amount of \$38,000.00.

Mayor asks if there is any discussion.

**MOTION** was made by Trustee Shuart to accept the Generator Bid from Peak Power Systems.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**WATER ACCOUNT #3378:**

The Village Clerk has requested we remove the penalties for the electronic payment. At the time of payment we were switching emails, therefore the payment did not get to her on time. The bill was paid on time, but was not posted on time because we did not have access to the email account at that time.

Mayor asks the board if they had any questions.

**MOTION** was made by Trustee Shuart for the removal of water penalties on account 3378.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**PARK REQUESTS:**

Wrenn, August 15<sup>th</sup>, 10-7pm

**MOTION** was made by Trustee Farrell to approve Wrenn park request.

**SECOND** was made by Trustee Shuart.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

Karosky, August 2<sup>nd</sup>, 1-4pm

**MOTION** was made by Trustee Farrell to approve Karosky park request.

**SECOND** was made by Trustee Shuart.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

Harriman Engine Company, August 16<sup>th</sup>, 8am – 6pm

**MOTION** was made by Trustee Shuart to approve Harriman Engine park request with fee waived.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

Crespo, June 29<sup>th</sup> 4-7pm, which was preapproved by Mayor.

Trustee Farrell asked if they would put their unit numbers on application.

**MOTION** was made by Trustee Shuart to approve the preapproval Crespo park request.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**BOND REFERENDUM:**

Mayor stated at the last meeting it was authorized publishing and it was subject to a permissive referendum. Being there was no permissive referendum filed authorization was granted to publish the adoption of the bond in the water.

Mayor asked any discussion.

**MOTION** was made by Trustee Shuart to authorize publication on the adoption of the bond.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**NEW YORK STATE OFFICE OF GENERAL SERVICES:**

Mayor stated that the Acting DPW Superintendent estimated 300 tons of road salt needed for the coming winter. Authorization was granted for approval.

**MOTION** was made by Trustee Shuart to authorize the estimated 300 tons of road salt.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**FINANCIAL RISK ASSESSMENT PLAN:**

Mayor stated the plan has been modified to correct the job situations in the office.

Mayor asked any discussion.

Trustee Farrell stated they do a lot of work in the office. They say Civil Service workers don't do a lot, but looking at these job descriptions they have a lot.

Mayor replied yes they do.

Deputy Mayor stated it is appreciated.

**MOTION** was made by Trustee Shuart to authorize modifying the Financial Risk Assessment Plan.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**REQUEST - SWITCH ON ELECTRIC:**

The Mayor stated they are requesting to be an electrical inspector in the Village.

Mr. Schmaus stated I sent information in to Mr. Walker. We do electrical inspections in other local Towns/Villages around you and for some reason we just got a hold of you.

Deputy Mayor Shuart asked do you work out of Bloomingburg?

Mr. Schmaus replied yes.

Deputy Mayor Shuart asked do you do a lot of work around here?

Mr. Schmaus replied Central Valley. I don't go any further South. You would be in the peripheral area of where I am.

Mayor Welle stated currently we have five on the list and there is not a lot of activity around.

Mr. Schmaus replied I understand it is a Village.

Mayor Welle stated if the Village Board chose to increase the number. It wouldn't be something where you would get a lot of work out of it.

Mr. Schmaus replied if I get an inspection here two times a year that is fine.

Deputy Mayor Shuart asked you are authorized by other municipalities around here?

Mr. Schmaus replied we are in Central Valley, Chester, and Goshen.

Mayor stated I am going to talk to the Building Inspector when he returns along with the other two Board Members that were not able to be here tonight. The Board Members would like to have a chance to review everything and talk to the Building Inspector. Even though the Building Inspector wasn't going to be here tonight, I wanted you on the agenda so we can move forward and we will advise you.

**LICENSING OFFICER:**

The Mayor stated the Village Law Section 4-400 (1) (H) states to appoint a Licensing Officer. Approval was granted to appoint the Deputy Clerk as the Licensing Officer.

Mayor asked any discussion.

**MOTION** was made by Trustee Shuart to appoint the Deputy Clerk as the Licensing Officer.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**NYCOMCO CONTRACT:**

The Mayor stated the cost will be the same as last year on the radios for the police vehicles and police station.

**MOTION** was made by Trustee Shuart to appoint NYCOMCO contract for the police radios.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**POLICE CHIEF TRAINING REQUEST:**

The Mayor stated we approved his training, but he would like to extend an additional night stay at approximately \$174.00.

**MOTION** was made by Trustee Shuart to approve an additional one night stay for training.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**WATER ACCOUNT REQUESTS:**

- Account #2255 purchased the property in September, but the proper mailing address had not gotten to the Village Office therefore, they are requesting the penalty be removed. They have paid the bill in its entirety and we have all their correct billing information now.

**MOTION** was made by Trustee Shuart to approve the penalties be removed.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

- Account #5190 claims they are always on time and are looking for the late charges to be waived. In the last two and a half years this has been the fourth time they have been late.

Due to a lack of a motion the late fee will stay.

- Account # 7338 is asking for the late fees to be waived and they have never been late.

**MOTION** was made by Trustee Shuart to approve the penalties be removed with a standard one-time only letter.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

- Account # 8245 claims they never received the bill and have always paid on time for the past five years. Within the last two and a half years they have been late seven times.

Due to a lack of a motion the late fees stay.

- Account #8325 claims they have never received the bill and are looking to have the late fees waived. Within the last two and a half years they have been late five times.

Due to a lack of a motion the late fees stay.

**SURPLUS VEHICLE – POLICE DEPARTMENT:**

The Mayor stated Police Chief is requesting approval to declare the 2008 Ford Crown Victoria be surplus and sold on Auction International.

**MOTION** was made by Trustee Farrell to approve the 2008 Ford Crown Victoria be surplus and sold on Auction International with a closing date of August 10, 2015 and potentially award the bid on August 11, 2015.

**SECOND** was made by Trustee Shuart.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**VILLAGE CODE CHANGES:**

The Mayor stated we need authorization to get the potential Code changes to the Planning Board and to notify them that there will be some modifications to this as people read through them and there may be some additional information added. So when they get back to us a Public Hearing can be scheduled for adoption in whatever form they want to go.

**MOTION** was made by Trustee Shuart to have the 2015 Code changes go to the Planning Board for their review.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**DPW SUPERINTENDENT APPOINTMENT:**

The Mayor stated we need a motion to offer the position of DPW Superintendent to John Mulligan with an effective date of July 27, 2015 and a starting salary of \$93,000.00.

**MOTION** was made by Trustee Shuart to approve the DPW Superintendent Position offer to John Mulligan.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

The Mayor stated assuming that Mr. Mulligan accepts the position then Jürgen Breitfeld will be returned to his regular salary effective July 30, 2015.

**MOTION** was made by Trustee Shuart to approve Jürgen Breitfeld to return to his regular salary effective July 30, 2015.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**STANDARD WORK DAY RESOLUTION:**

The Mayor stated whenever there are newly elected, re-elected officials or appointed officials a new standard work day reported resolution needs to be done and posted in the Village Hall for 30 Days.

**MOTION** was made by Trustee Farrell to approve a Standard Work Day Resolution for the new and re-elected officials along with the posting of it with redactments.

**SECOND** was made by Trustee Shuart.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

The Mayor stated assuming John Mulligan accepts the job the Standard Work Day Resolution will be completed for him effective July 27, 2015 and posted with the redactments.

**MOTION** was made by Trustee Shuart to approve the Standard Work Day Resolution be completed for John Mulligan effective July 27, 2015 and posted with the redactments.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**BUDGET TRANSFERS 2014-2015:**

The Mayor stated this has to do with work being done on the AUD in a memo from the treasurer on July 6, 2015.

**MOTION** was made by Trustee Shuart to approve the budget transfers on the AUD.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**WATER SHUT-OFFS:**

The Mayor stated notices have been sent and shut off s will be Thursday, July 16<sup>th</sup> at 12noon unless paid prior to then.

**MOTION** was made by Trustee Shuart to approve the shut offs.

**SECOND** was made by Trustee Farrell.

**AYE:** Mayor Welle                      **NAY:** -0-  
Trustee Farrell  
Trustee Shuart

**MELODY LANE PROPERTY LLC WATER AGREEMENT:**

The Mayor stated he spoke to Dave Darwin and he talked about the potential of having to do SEQRA depending upon what Woodbury has done. There is a call into them to see where it is. This will be tabled until the next meeting.

Mr. Ostrer stated based on the Annual Water Quality Report it would probably be a good idea to get a letter from Cusack that we have adequate supply.

**LIZDA 2 WELL:**

The Mayor stated it went back on line two weeks ago and unfortunately it started pumping silt into the system the other day. So we need to declare that an emergency because we do need the well on line,

especially this time of the year. Authorization is needed for up to \$5500 to have the pump pulled for inspection and potential clean out if necessary.

**MOTION** was made by Trustee Shuart to approve for \$5500 for the Lizda 2 Well Pump.

**SECOND** was made by Trustee Farrell.

Mayor asked any discussion.

**AYE:** Mayor Welle  
Trustee Farrell  
Trustee Shuart

**NAY:** -0-

**ATTORNEY REPORT:**

Mr. Ostrer stated they received a letter Friday on the RD water bill which I have handed over to Dave Darwin and he will speak to George Lithco. The Zone Changes are being worked on. In regards to the water districts in Woodbury I did have conversations with Joe McKay and there is a work in the law because all of the existing districts were taken over by the Village of Woodbury, but the Village of Woodbury can't run new districts but the Town might be able to, so he was going to get some further advise to see what they can do. They would form the district and then they would have to contract back with the Village of Harriman to service the district because they don't have no employees for it or they would have to contract with the Village of Woodbury to service the district so that needs to be worked out.

The Mayor replied as long as it is in the works. We do have a couple of items in Executive Session to speak with you about.

**PUBLIC COMMENTS:**

Mr. DiSalvo stated I heard you bring up the Heritage Trail. I don't want to speak for the legislature but I don't hear a lot of support on moving forward to the other end of the County. I am hear different stuff in my caucus. As we get closer to the vote I'm sure I will hear more. There is no benefit to the 14<sup>th</sup> District. I was disappointed about the Governor's veto. It was a nice try for the assembly people that were involved. I know that David Church's office plan is moving forward with the parallel study. I am glad they are able to communicate with you and you are kept in the loop along with other things in regards to the sewer district and the expansion, etc. I am a phone call away if you need something.

Deputy Mayor Shuart asked what exactly is the hold up on this piece of the Heritage Trail?

Mr. DiSalvo replied I didn't get a clear answer. Mr. Rose who runs the Department of Recreation it came up in a meeting and I asked the question so it is not going to Harriman. It was no and actually I believe it was stated there was not enough support for it to come down this way. It was news to me because we actually had conversations about it. I remember it from when I first came on. From my caucus I hear a lot of mixed feelings and I think that from a few legislatures that I keep contact with is that the County is on a cash crunch and a million dollars a mile, even though it is Federally Funded and there is Federal dollars there it is still one and a half or two million of County money. If we are nine million dollars short this year, I would rather be 7 million then 9 million. I'm a soft no right now, leaning toward a hard no. The places that it is in right now it is working and it is functioning for the businesses in Orange County. The deal with the Northern part going out that way is not a great deal. Five year leases and we have to maintain the road during the winter time. There is a liability issue, etc. etc. It is not the same deal all the other Towns have, which is a little more concrete and I think beneficial to the residents of the entire County. So that is where I think we are at with the Heritage Trail. I was disappointed to see it wasn't coming south.

Deputy Mayor Shuart commented our only concern at the time was having a right to cross that trail. You remember the problem they had in Chester in the school. Nobody could cross that trail except the school buses. All I can say, is that don't want it to pass River Road. They probably don't want it to pass that bridge. Everyone thought it was a great idea when we met with Ed Diana.



Mr. Ostrer stated the issue was if it ended at Mary Harriman Park that was going to be the head end of the trail and they would have to run the trail into the County Parking Lots so if people want to use the trail they can park there.

Mr. DiSalvo replied the handful of legislators actually like the idea of it being near the Harriman Train Station and Harriman Trail and feeding people who come here and come up from the City and want to see the Country and do that Harriman Heritage Trail to start here and work their way up. I won't speak for the legislature but I am hearing different things.

Mayor Welle stated when I started seeing the articles in the paper that is why I called Richard Rose to find out what is going on because we had met shortly after he had become the Commissioner of Parks. We met down here with Orange County Planning because they identified an area where they could put parking in and they would have to cross over a Village of Harriman property to get there and we saw no problem with it. It has been sitting ever since then.

Mr. DiSalvo replied I don't know if people got a case of amnesia or what happened. It passed committee but I don't know where it will go on the floor.

**MOTION** was made by Shuart to enter into Executive Session for Attorney Client Privilege.

**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 Ben Ostrer, Esq.

**MOTION** was made by Farrell to adjourn Executive Session and return to Regular Session.

**SECOND** was made by Trustee Shuart.

**ALL IN FAVOR.**

A **MOTION** was made by Deputy Mayor Shuart and **SECONDED** by Trustee Farrell to adjourn the meeting at 8:55 p.m.

**ALL IN FAVOR.**

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