

**VILLAGE BOARD MEETING
JUNE 11, 2019**

6:45PM – AUDIT BILLS
7:15PM – PUBLIC HEARING – Local Law #7, 2019
7:20PM – PUBLIC HEARING – Local Law #8, 2019
7:30PM – REGULAR MEETING

AGENDA

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – May 14, 2019**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. LOCAL LAW #7, 2019**
- 6. LOCAL LAW #8, 2019**
- 7. SURPLUS EQUIPMENT – BID AWARD**
- 8. POLICE CHIEF REQUEST - CONFERENCE**
- 9. TOWN OF MONROE INTER MUNICIPAL AGREEMENT RE: GRANT WRITING**
- 10. INSURANCE 2019-2020**
- 11. EMPLOYEE HANDBOOK SECTION 802**
- 12. WATER DEPT – TRAINING REQUESTS**
- 13. PARK REQUESTS a) Vilsaint 6/29 b) Smith 7/20 c) Schwerker 6/30 d) Perez 8/3 e) Butler 6/23 f) Azor 6/8 g) Fernandez 8/18**
- 14. ACTUARIAL APPROVAL – GASB 75**
- 15. WATER ACCOUNT REQUESTS a) 331**
- 16. POLICE CHIEF – EMPLOYMENT AGREEMENT**
- 17. BUDGET TRANSFERS AND AMENDMENTS**
- 18. DPW REQUESTS a) Extended Warranties b) Vehicle Purchase**
- 19. ATTORNEY REPORT**
- 20. PUBLIC COMMENTS**
- 21. MOTION TO ENTER EXECUTIVE SESSION – LITIGATION - ATTORNEY CLIENT PRIVILEGE**

UPCOMING MEETING DATES:

ZONING BOARD OF APPEALS MEETING:	JULY 3, 2019
PLANNING BOARD MEETING:	JUNE 17, 2019
VILLAGE BOARD MEETING:	JULY 9, 2019

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7:00pm – Audit Bills

7:15pm – Public Hearing – Local Law #7

7:20pm – Public Hearing – Local Law #8

7:30pm – Regular Meeting

PUBIC HEARINGS

Mayor read the following:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 7 of 2019 amending and revising various sections of the Code of the Village of Harriman pursuant to Sections 10 and 20 of the Municipal Home Rule Law at the Harriman Village Hall **at its new, temporary location at 12 Church Street, Harriman, New York (formerly the Harriman School)** on June 11, 2019 at 7:15 p.m. or as soon thereafter as the matter may be heard.

The purpose of this local law is to amend and update the following sections of the Village Code: Chapter 140 – Zoning, including additions and amendments to § 140-4 (Definitions); and the Schedule of District Regulations, Parts 3, 4 and 6, relating to PAD, B-1 and B-2 zoning tables. A copy of the proposed local law will be available for inspection at the Village Clerk's office located at 12 Church St., Harriman, NY.

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 did we receive any correspondence?

Clerk replied no.

Mayor stated we may need to send this to the County for a 239 review.

No public comments.

MOTION to close the Public Hearing by Trustee Chichester and Second by Trustee Daly.

ALL IN FAVOR

Mayor read the following:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 8 of 2019 amending and revising various sections of the Code of the Village of Harriman pursuant to Sections 10 and 20 of the Municipal Home Rule Law at the Harriman Village Hall **at its new, temporary location at 12 Church Street, Harriman, New York (formerly the Harriman School)** on June 11, 2019 at 7:20 p.m. or as soon thereafter as the matter may be heard.

The purpose of this local law is to amend and update the following sections of the Village Code: Chapter 74 – Fees, including additions and amendments to Article II, § 74-5 (Fee Schedule) as follows: 74-5 A (Building Department); 74-5 D (Parkland Fees) 74-5 I (Water fees, rates and billing); adding new provisions to Chapter 74 for unpaid and delinquent accounts; and Article IV (Administration) § 82-11 B (Floodplain development permit).

Chapter 136 – (Water) § 136-6 (Distribution system specifications)

A copy of the proposed local law will be available for inspection at the Village Clerk's office located at 12 Church St., Harriman, NY.

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

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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 did we receive any correspondence?

Clerk replied no.

No Public Comments

MOTION to close the Public Hearing by Trustee Daly and Second by Trustee Farrell.
ALL IN FAVOR

REGULAR MEETING

ROLL CALL

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Sandra Daly, Trustee Lou Medina, Police Chief Dan Henderson, John Hager, Building Inspector, Village Clerk Jane Leake, Village Attorney, Dave Darwin, Planning Board Chairperson, Irma Escallier

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

APPROVAL OF MINUTES

Mayor asked if there are any changes or corrections to the minutes of May 14, 2019 Regular Board Meeting?

MOTION was made by Trustee Daly to accept the minutes of May 14, 2019 Regular Board Meeting with the noted corrections.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

INFORMATIONAL ITEMS:

This evening's bills were audited:		<u>2020</u>
Trust & Agency	\$ 3,841.20	\$ -0-
General Fund	\$ 46,392.94	\$ 90,647.13
Water Fund	\$ 7,151.40	\$ 54,731.20

Upcoming Meeting Dates:
Zoning Board of Appeals – July 3, 2019
Planning Board – June 17, 2019
Village Board – July 9, 2019

- 2019 MS4 Report is on the Village Website under the Department of Public Works and the 2018 Annual Drinking Water Quality Report is also on the Website under the Water Department.
- Brush Policy – continues on a weekly basis - ask that you put it at the edge of the property not in the road or on the sidewalk.

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- Heritage Trail – I spoke with the Commissioner of Parks for the County yesterday. They are moving forward with getting pricing on a prefab bridge rather than putting in a sidewalk along River Road. They will put this prefab structure in, that they will anchor. This will allow them to avoid filling in or getting into the flood plain at all. The Village did have to make some additional concessions with the guardrail, but in order to move this forward in consult with the DPW it was agreed we can make it work for the roads. Hopefully, they will get this structure design in order quickly and then they can get the rest of the work done. The original plans they came up with there were some safety issues the Village could not live with. Not only for the people who would be walking on the sidewalk, but for the motorists also.
- Planning Board and Zoning Board of Appeals there are still openings. Anyone interested please send a letter of interest to the Village Clerk.
- ADDITION: 18c) Ron Krzywicki Request
- I attended the Orange County Association of Towns, Villages and Cities in Goshen. There was a representative there from Good Energy and what I got from this and several other people I spoke to, this Company would come in and have the Municipalities sign up and virtually tell your residents that is who you have to go to for electric and gas. 1) I don't see how you can do that 2) The rates they were discussing for the supply was based upon Orange and Rocklands rates, not the other providers. So, they are saying they are going to save you all of this money, but the Village for all of our usage we are already saving money by going to other Companies to purchase. I am sure they will be around pushing it more, but it doesn't seem like it will be in our best interest to get involved with.
- Did send a letter to the NYS DOT regarding the poor condition of 17M and I did not hear back from them.
- The Planning Board on the 17th will be having a couple of Public Hearings. One of them is regarding the Village's request for a subdivision of the property that spans from South Main Street and James Street. Everything has been submitted. A letter has been submitted to the Planning Board also.
- ADDITIONAL ADDITIONS:
 - 15b) Water Billing Issue
 - 12b) Kearney Avenue Water Main Extension EAF
 - 15c) Water Account 780
 - 15d) Account 616
 - 13h) Park Request – Margillo
 - 13i) Park Request – Monroe Joint Fire District

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report

Water Account Adjustments – see attached report

Court Reports – see attached reports

April	25,362.00	\$14,907.00 remains with Village
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May	33,182.00	\$24,047.00 remains with Village
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Building Department – see attached report

\$	409.00	Building Permits
\$	600.00	Violation Searches
\$	<u>100.00</u>	Inspection Fees
\$	1,109.00	TOTAL

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LOCAL LAW # 7

Mayor stated Local Law #7 this is on Zoning Amendments. The Public Hearing was held this evening and there were no written or verbal comments. This came from the Planning Board, so we don't have to send it to the Planning Board, but do we need to send it to the County for 239?

Attorney Darwin replied I would send it to the County.

Mayor stated we will do that, and it will be on the next agenda for approval.

LOCAL LAW #8

Mayor stated Local Law #8 is some fee changes. The Public Hearing was held this evening and there were no written or verbal comments.

MOTION was made by Trustee Farrell to adopt Local Law #8.

SECOND was made by Trustee Chichester

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

Mayor stated for it to take effect it says: shall take effect immediately upon posting and filing with NYS DOS. Is that once we get it returned from them?

Attorney Darwin replied once the State files it.

Mayor stated so we have to waiting for them to approve it.

Attorney Darwin replied yes

Mayor stated we will have to wait to file it in July, otherwise we will have an issue with the numbers again.

SURPLUS EQUIPMENT BID AWARD

Mayor stated at the last meeting we surplused an Onan 100 KW Generator and Generac 45 KW Generator. The top bidder on the Onan was \$1,450.00 and the top bid on the Generac was \$370.00.

MOTION was made by Trustee Medina to accept the bids on the Surplus Generators.

SECOND was made by Trustee Chichester

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

POLICE CHIEF CONFERENCE

Mayor stated July 20 – 23rd for at total of \$1,076.00. He will be not attending the NYS Chiefs Conference but would like to attend this one this year and he is paying for his own travel.

MOTION was made by Trustee Daly to approve the Police Chief Conference on July 20 – 23, 2019 for \$1,076.00 not including travel costs.

SECOND was made by Trustee Farrell

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

TOWN OF MONROE INTERMUNICIPAL AGREEMENT

Mayor stated the Intermunicipal Agreement regarding the Grant writing. At the Attorney's request the Agreement between Millennium the Company who does the grants in the Town of Monroe has been changed and has been signed.

Attorney Darwin replied it has been signed by Millennium, but I don't know if the Town Supervisor signed it.

Mayor replied I think he was waiting for a Board Meeting to sign it, but I would need authorization by the Board to sign the Agreement. It would be a cost to the Village of \$9,000 for the year and we would take ½ from Contingent on the General Fund and ½ from Contingent in the Water Fund as we will be seeking grants in both areas.

MOTION was made by Trustee Chichester to authorize the Mayor to sign the Inter-Municipal Agreement with the Town of Monroe.

SECOND was made by Trustee Farrell

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

INSURANCE 2019 – 2020

Mayor stated our annual insurance renewal. With Municipal Insurance there is a limited number of firms that would bid on it. The last time we went out to bid several places wouldn't even give us a call. The current year for liability and vehicle we were paying \$67,067.00. The renewal is \$71,243.00. It represents about a 6% increase, but it is still less then the quotes we had from other Companies a couple of years ago. My recommendation is that we accept the quote from CLG in the amount of \$71,243.00

MOTION was made by Trustee Chichester to accept the Insurance Quote of \$71,243.00 from CLG.

SECOND was made by Trustee Farrell

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

Mayor continued the second part of this is the Worker's Compensation. Last year was \$43,213.37. It went up \$3,100.00, which represents approximately 7% increase. Again, it is lower than what we gotten from other vendors in the last couple of years.

MOTION was made by Trustee Chichester to accept the Workers Compensation Insurance from CLG.

SECOND was made by Trustee Daly

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

EMPLOYEE HANDBOOK SECTION 802

Mayor stated down at the bottom regarding part-time employees and annual vacation leave credited. It says; less than 2 years continuous service – 5 days, 3-5 years continuous service – 10 days. I believe the intent was 2 – 5 years is 10 days.

MOTION was made by Trustee Farrell to approve the change in the Employee Handbook Section 802.

SECOND was made by Trustee Daly

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

WATER DEPARTMENT TRAINING REQUEST

Mayor stated water training requests for Matt and Ron. Hudson Valley Water Works Seminar June 12th at a cost of \$30.00 each and Hudson Valley Water Works Lab Course at \$75.00 each July 30th.

MOTION was made by Trustee Farrell to approve the Water Course and Seminar for Matt and Ron.

SECOND was made by Trustee Medina

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

KEARNEY AVENUE WATERMAIN EXTENSION EAF

Mayor stated we got the Short Environmental Assessment Form. It has been designed. The property owner has given us the additional easements to install this water main and the Health Department has approved the water main design.

MOTION was made by Trustee Chichester to approve the Mayor signing the Kearney Avenue EAF supplied by Lanc & Tully.

SECOND was made by Trustee Daly

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

Trustee Medina asked does this have to go before the Planning Board?

Mayor replied No.

PARK REQUEST

a)– e)

MOTION was made by Trustee Chichester to approve a) – e) Park Requests.

SECOND was made by Trustee Farrell

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

f) Azor – came in after the last meeting, but prior to the date – that one has been approved as has been course. It was for June 8, 2019.

g) & h)

MOTION was made by Trustee Daly to approve g) & h) Park Requests.

SECOND was made by Trustee Medina

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

i) Monroe Joint Fire District – Mayor stated normally we waive the fee for them.

MOTION was made by Trustee Farrell to approve the park request and waive the fee for the Monroe Joint Fire District.

SECOND was made by Trustee Daly

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE

Trustee Daly
Trustee Medina

ACTUARIAL APPROVAL – GASB 75

Mayor stated the GASB 75 is the Post-Employment Benefits other than Pensions. We have been using Danziger & Markhoff LLP for several years on this. It is every three years; I believe when we have to have this done. Another outfit has submitted a quote that was a little less, but we weren't able to find anything out about them and nobody else around here uses them. So as professional services my suggestion is, we stick with Danziger & Markhoff LLP in the amount of \$2,450.00.

MOTION was made by Trustee Chichester to approve Danziger & Markhoff quote of \$2,450.00.

SECOND was made by Trustee Daly

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

WATER ACCOUNT REQUESTS

a) Account 331 –

Mayor stated they had a severe water leak and went through 222 thousand gallons of water for an approximate \$1,700.00 water bill. What we have done in the past is billed others for the amount of water used but bill them at the lowest rate. We did not apply the escalating rate. If we were to do that here it would lower the water usage bill from \$1,688.23 to \$890.74. It will leave them with an almost \$800.00 credit.

MOTION was made by Trustee Daly to approve Account 331 water rate at the lowest rate.

SECOND was made by Trustee Farrell.

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

b) Mayor stated this past billing quarter there was an issue with some of the water bills with customers who had new meters put in. The computer didn't catch up with separate readings. So, the original bill went out and then immediately a second bill went out once the error was caught and a letter explaining this. Not everyone understood it. Some people paid both bills and some people did not. I don't know how many there are at this point, but it is my recommendation at this time that if they paid a partial, we waive the late fees on the second part. If nothing was paid they are subject to all fees (late fees and penalties). Due to the confusion if there is still some floating around and they did not pay the second part or pay the complete we should waive those late fees regardless of their history being it was a computer error from the Village.

MOTION was made by Trustee Chichester to approve waiving the penalties on the accounts affect by the billing error.

SECOND was made by Trustee Daly

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

Trustee Medina asked it won't be used as calculations in the future?

Mayor replied no. It is a waiver due to the fact it was a Village computer error.

c) Account 780 – penalty and insufficient fund fee waivers

LACK OF MOTION – Denied

d) Account 616 – penalty waiver

MOTION was made by Trustee Daly to approve a one-time waiver on Account 616.

SECOND was made by Trustee Medina

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Medina

NAY:

NONE

POLICE CHIEF EMPLOYMENT AGREEMENT

Mayor stated in intensive purposes the only thing changing are the dates and the salary which will fall in line with the increase that is negotiated by the PBA for the Sergeants. His percentage raise will be in line with that. Everything else virtually stays the same.

MOTION was made by Trustee Chichester to approvet the Police Chief’s Employment Agreement effective June 1, 2019 through May 31, 2023.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Medina

NAY:

NONE

BUDGET TRANSFERS and AMENDMENTS

Mayor stated as provided by the Village Treasurer this is the end of the year of 2018-2019 Budget to move funds around to cover the final purchases.

MOTION was made by Trustee Chichester to approve the Budget Transfers and Adjustments as outlined in the June 6, 2019 memo from the Village Treasurer.

SECOND was made by Trustee Medina

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Medina

NAY:

NONE

DPW REQUESTS

a) Mayor stated extended warranties on three pieces of Village equipment, which was budgeted.

These are for vehicles that we got almost totally covered by Grants. The one warranty that adds another two years is \$3,500.00, one is \$1,650.00 and the other is \$4,400.00.

MOTION was made by Trustee Daly to approve the Extended Warranties.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Medina

NAY:

NONE

b) Mayor stated a purchase of a vehicle for the Water Department. A pick-up truck with plow. This was also included in the budget. \$37,000 was budgeted and the price comes in at \$35,934.99 and that is off the Onondaga County bid.

MOTION was made by Trustee Farrell to approve the purchase of a pick-up truck for the Water Department in the amount of \$35,934.99.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Medina

NAY:

NONE

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- c) Mayor stated we received a memo from Ron Krzywicki. It turned out at the end of the year he had 42 hours of vacation left and you can carry 40 without approval. He is just asking to be able to carry the additional 2 hours and use it within the first quarter. Due to the additional responsibilities he had he was unable to take it off.

MOTION was made by Trustee Farrell to approve Ron Krzywicki's 2 hours of vacation time carried over and used within the first quarter.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Medina

NAY:

NONE

ATTORNEY REPORT

Mayor asked 2 Maple have you ever been able to get a hold of John McCarry?

Attorney Darwin replied yes. I passed along the information on the cost of demolition and he is going to look into that. I think it is a possibility the County may take on the demolition of the building. I also heard from Matt Nothnagle the Senior Assistant County Attorney. He has been in touch with DPW about the demolition. He said there may be an answer by the end of this month.

Mayor stated on 4 South Main Street it appears there are two banks involved. Is that what I am getting from that?

Attorney Darwin replied there are two banks involved. I guess there is a junior mortgage. The Loan Servicer has been changed, the new Loan Servicer is waiting for the file, so it is getting tied up once again. I will keep in touch with Dawn to try to move things along.

PUBLIC COMMENT –

James Coleman – 4 Maple – in regard to 2 Maple Avenue, since the County now technically owns it and the overgrowth of scrubs, trees and things are now affecting into my property. I am worried about ticks and things like that. Do I have the right and I ask the opinion of the Board, to call the County and ask them what they plan on doing about that up until the point of demolition, if that happens? What recourse do I have? Will they listen to my call or plea?

Attorney Darwin replied you certainly have a right as a citizen to contact the County and bring that to their attention and ask them, and the Board can do the same thing, or I can do that on behalf of the Board.

Mayor stated maybe if you made a phone call it would go a little further.

Mr. Coleman responded it will technically fall under their responsibility at this point. I'm not going to ask the Village of Harriman DPW to clean that up.

Mayor stated let's see what kind of response Dave can get from the County.

Mr. Coleman replied fair enough. Thank you.

Jim Kelly – Oxford Lane – What is the status of the demolition of the old Village Hall? Have we had any update since the last meeting?

Mayor replied we are waiting to purchase the property at 4 South Main Street to do the demolition all at once to save money.

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MOTION was made by Trustee Chichester to Enter into Executive Session for a Litigation and Attorney Client Privilege.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

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

The following was given by Mayor Welle:

Executive Session with David Darwin, Esq.

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

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Chichester to schedule a Public Hearing for July 9, 2019 at 7:25pm for Local Law #9 – 2019 Section 102.

SECOND was made by Trustee Medina

ALL IN FAVOR

MOTION was made by Trustee Chichester to authorize the Mayor to sign the TAC Team Inter-Municipal Agreement.

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Medina to adjourn Regular meeting at 9:28pm.

SECOND was made by Trustee Farrell

ALL IN FAVOR

Respectfully submitted by: _____
Jane Leake, Village Clerk