

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**March 15, 2017**  
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**PUBLIC HEARING**

The Mayor read the following:

Pursuant to Section §5-508 of the Village Law of the State of New York, the tentative budget for the Village of Harriman has been prepared and filed with the Village Clerk at the Village Office, 1 Church Street, Harriman, New York, where it may be examined by all interested persons between the hours of 8:00am to 4:00pm.

Said tentative budget includes a maximum compensation for the Mayor of \$16,200 per year and for the Trustees of \$7,177 per year.

A summary of the tentative budget is as follows:

General Fund: \$3,073,550                      Water Fund: \$1,542,426

A Public Hearing on the budget will be held at 1 Church Street, Harriman, New York on March 14, 2017 at 7:15pm to consider same before final adoption.

Notice was placed Monday on the door of the Village Hall and Website and on Channel 22 that in the event the March 14 meeting was cancelled due to the impending snow storm that the meeting would be held today Wednesday, March 15, 2017. Yesterday morning it was also posted on the Village door.

The Mayor asked have we received any written correspond on this proposed budget?

Ms. Leake replied no.

The Mayor stated lets go through the significant changes as follows:

- Law Consultants due to potential annexation litigation and anything necessary for the Pilgrim Pipeline research and action.
- Software Updating
- Building Department Vehicle
- Road Salt
- Health Insurance increase of approximately 10%
- Town of Monroe – Loss of taxable value \$300,000
- Town of Woodbury loss of taxable value just over \$250,000. These are due to reassessments.

General Fund Budget –

- 2016 – 2017 Appropriations - \$3,063,458
- 2017 – 2018 Appropriation \$3,073,550an increase of \$10,092 - .33% increase in spending.
- 2016 – 2017 Levy \$1,779,887
- Proposed 2017 – 2018 Levy \$1,803,382
- Increase of \$23,495 1.32% increase. This is within the State mandated 2% Tax Levy Cap

Town of Monroe Tax Rate \$1.1724/K increase – 2.4% average residential assessment of 50k puts you at a \$58.62 annual increase.

Town of Woodbury Tax Rate \$.6015/k increase – 2.8% average residential assessment of 100k puts you at \$60.16 increase.

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No Public present and no questions asked.

**MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Borowski to close the Public Hearing. **ALL IN FAVOR**

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

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**6:45pm – Audit Bills  
7:00pm – Executive Session – John Hager  
7:15pm – Public Hearing – 2017 – 2018 Budget  
7:30pm – REGULAR MEETING**

**7:00pm - Executive Session – John Hager** – The following was given by Mayor Welle:

**Present:** Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Frank Borowski, Trustee Sandra Daly **and** Building Inspector John Hager

**Meeting opened by Mayor Welle**

Motion was made by Trustee Chichester to enter Executive Session to discuss contracting for professional services – architect for Village Hall/Police Department renovations.

SECOND by Trustee Farrell  
ALL IN FAVOR

Motion was made by Trustee Farrell to end Executive Session at 7:15pm and continue the Regular Meeting

SECOND by Trustee Chichester  
ALL IN FAVOR

**7:30pm - REGULAR MEETING:**

**ROLL CALL**

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

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 minute of February 14, 2017 Regular Board Meeting and Budget Meetings of February 21 & 28, 2017.

**MOTION** was made by Trustee Farrell to accept the minutes of February 14, 2017 Regular Board Meeting and Budget Meetings of February 21 & 28, 2017.

**SECOND** was made by Trustee Daly.

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**INFORMATIONAL ITEMS:**

- This evenings bills were audited:

Trust & Agency	\$ 3,386.96
General Fund	\$ 97,571.95
Water Fund	\$ 52,959.39
  
- Upcoming Meeting Dates:
  - Zoning Board of Appeals Meeting – April 5<sup>st</sup>
  - Planning Board – March 20<sup>th</sup> & April 17<sup>th</sup>
  - Village Board – April 18<sup>th</sup>
  - Reorganizational Meetings – April 4<sup>th</sup>

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- We have received a couple of water violations. The first one had to do with some tests not being done on sampling. The DPW Superintendent looked at the scheduling and he realized they were missed, but the schedule that comes from the DOH is confusing. We had taken the test and they had come back okay, so there are no issues with the water. We have to report it, but it doesn't have to be a separate mailing it will be included in the annual report. We do have to send out a notice on Harriman Heights 2 it exceeded the maximum contaminate level for uranium on the annual average. Testing was done within the system and all the test within the system are fine. It is just that the source itself but it does wind up becoming blended and there is no problem within the system. Although we do need to send out a mailing. Due to the four quarter average at least the next quarter we will probably be over the average again so it will need another letter.
- Orange County Municipal Planning Federation sent information on scholarship and internship. Anyone interested contact the Village Clerk's Office.
- The Gardens at Harriman Station have submitted their plans to initiate the SEQRA site plan, subdivision plan and review process which actually starts tonight at the Woodbury Town Hall. There was an article in the paper this past Saturday which stated the plans for the Harriman section were submitted to Harriman, which is not true. Chris McKenna stated that is what the developer had told him.

Trustee Chichester asked are we listed as an involved agency?

Mayor replied I believe.

- We do have Planning Board/Zoning Board of Appeals openings. Anyone interested contact the Clerk's Office.
- Next Tuesday, March 21<sup>st</sup> in Village Elections. The Election Notice was published in the paper.
- I received a letter from a local elementary student who is participating in the EXPAND Program and she would like to get involved with the Village to do some planting of trees, etc. I will be meeting with her and her mother and probably John Mulligan to see exactly what she is looking to do and where we can do something like this
- KJ Development opposite the Trooper Barracks – I had sent a letter going back voicing the Villages concerns. Several of the principals for the property owner and the developer have come to see me. We have been put on the list for all of the documents. They are doing a scoping session following SEQRA and filed a 239 with the County. They are moving through the process and we are supposed to be kept in the loop even though we are not listed as an involved agency.
- ADDITONS to Agenda:
  - o 10(a) – New Fire House Water Fees
  - o 9(a) – DPW Training Request
- I was contacted by Frontier and they are interested in resurrecting their TV deal. I will have to get together with the Village Attorney to go through it side by side. There are a very few changes. One of our concerns is whether or not you are going to do the whole Village. Once we hear all the particulars we will set a Public Hearing date.
- We did receive parking and noise complaints on 2 Bailey Farm Road. The Building Inspector and Police have been involved in into looking at that and working with the owners to abate such.

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- There have also been unregistered vehicle complaints, which the Building Inspector is working on.
- The Viewer the Village had purchased for Judge Caiazza is now being donated to the Monroe Senior Center.
- The KJ Annexation appeal is moving forward and I expect it will be filed Monday. A few legislatures had assured me that there was no reason to think that the County was backing out of it. As of now we anticipate that they will stay on with it.
- In regards to the yesterday's storm I did participate in a number of emergency conference calls with the County. It is amazing how quickly and efficiently they ran. We had no major issues of any type and everything went fairly well. I would like to thank the DPW and Police Department for all they did.
- Unfortunately we had several residences who decided their snow belonged in the street not on their own property, which made life difficult at times. This is something we need to get together with the DPW and Police before next winter and figure out how we will handle it.

Attorney Darwin asked is there a local law?

Mayor replied there is a vehicle and traffic law about depositing snow in the street.

Chief Hendersen stated this may be a difficult one to enforce but we can look at a possible Ordinance. It would cover exactly what we are looking at.

Mayor responded if that is what we need to do between now and October that is what we will do and get it on the books.

Chief Henderson stated with local Ordinances you give one warning, document it and then the second time give a violation to appear in court.

Mr. Mulligan comments on what about putting up signs certain times of the years and taking them down.

Mayor replied it could be more aggravation, but we can discuss it. We need to do something.

**DEPARTMENT REPORTS**

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report - \$30.00 in funds

Water Account Adjustments – see attached report

Court Reports – see attached reports –January took in \$15,407.00 – Village received \$11,384

February court took in \$11,731.00 – Village received \$7,485

Building Department – see attached report

\$	200.00	Violation Searches
\$	200.00	Total

**RESIGNATION LETTER**

The Mayor stated we received a letter from the part time court clerk that she was resigning February 24, 2017.

**MOTION** was made by Trustee Farrell to accept Katie Schmidt's resignation effective February 24, 2017.

**SECOND** was made by Trustee Daly

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**AYE:** Trustee Farrell  
Trustee Borowski  
Trustee Chichester  
Trustee Daly

**NAY:**

**2017-2018 BUDGET**

The Mayor stated budget meetings were held. Public Hearing was held this evening. There was not written of verbal correspondence regarding the budget.

**MOTION** was made by Trustee Farrell to adopt the 2017-2018 Budget.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

The Mayor continued stating since the budget was adopted I suggest we schedule a public hearing for April 18, 2017 at 7:25pm for Local Law #2 to repeal Local Law #1 – Tax Cap Levy Override.

**MOTION** was made by Trustee Chichester to approve scheduling a Public Hearing for April 18, 2017 at 7:25pm for Local Law #2

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

The Mayor stated since the Budget was approved we have three vehicles in the budget (Police, Building Department and DPW Dump Truck). We need authorization to order these vehicles.

**MOTION** was made by Trustee Chichester to approve authorization to order the Police, Building Department and DPW vehicles.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**FISCAL STRESS REPORT**

The Mayor stated NYS has been putting this report out for a few years. They rate based upon your financial status, money on hand, budget, increases, etc. A lot goes into this. The lower the number the better. Within the last three years the Village has gone from a 24.2 to a 19.2.

**SURPLUS DPW EQUIPMENT**

The Mayor stated John is asking that we declare a 2005 four wheel drive 628D Jacobsen Turf Cat Lawn Mower surplus and put out to bid with a closing date of April 17<sup>th</sup>.

**MOTION** was made by Trustee Chichester to approve declaring a 2005 four wheel drive 628D Jacobsen Turf Cat Lawn Mower surplus and put out for bid with a closing date of April 17<sup>th</sup>.

**SECOND** was made by Trustee Borowski

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**TRAINING REQUESTS**

The Mayor stated the Building Inspector has two training requests – one was on February 23 which that Board was aware of and this other one is for the associated credit hours scheduled for April 19 – 21st

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Hudson Valley CEO Education Conference. It is a \$300.00 fee and transportation costs. He may use the Village vehicle.

**MOTION** was made by Trustee Farrell to approve the April Hudson Valley CEO Education Conference for the Building Inspector to attend.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**DPW TRAINING**

The Mayor stated John would like three DPW workers to attend the Hudson Valley Water Works Conference on April 12<sup>th</sup> at \$30.00 each.

**MOTION** was made by Trustee Chichester to authorize three DPW workers to attend the Hudson Valley Water Works Conference on April 12<sup>th</sup> at \$30.00 each.

**SECOND** was made by Trustee Borowski

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**LIFE STORAGE**

The Mayor stated they had a domestic water service there for years. They now are looking for a fire service protection for their new building. I met with the representative and they have agreed to a \$28,000 capital contribution. The tap in fee would be \$15,000 and they are aware that there are annual charges of \$2,800 billed quarterly for the fire service protection.

**MOTION** was made by Trustee Chichester to authorize fire service protection to Life Storage.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**NEW FIRE HOUSE**

The Mayor stated normally there would be a tap in fee and a capital contribution. I believe we can waive the capital contribution, but the tap in fee should remain as it involves some oversight by the Village. We previously have waived the Building Permit fees.

**MOTION** was made by Trustee Chichester to accept a tap in fee with no capital contribution.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**WATER DEPARTMENT SOFTWARE REPLACEMENT**

The Mayor stated as we have been discussing the software needs to be replaced. After doing research on several the quote on this one is \$15,660.

The Mayor asked Dave did you get an opportunity to read through the contract?

Attorney Darwin replied I have looked at it and it is an unconventionally drafted contract and I have some questions and comments. I thought in some respects it was incomplete and not a tight as I would like to see it. I would like to discuss the terms with the vendor. I didn't see the proposal that was submitted.

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The Mayor stated based upon you receiving the proposal can we approve this contingent upon your approval?

Attorney Darwin replied yes, subject to Village Attorney's.

**MOTION** was made by Trustee Chichester to approve the Edmonds & Associates Water Department Software subject to the Village Attorney's approval

**SECOND** was made by Trustee Borowski

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Borowski	
Trustee Daly	

The Mayor stated assuming it gets approved by the Village Attorney and we can come to an agreement there – there will be \$13,660 from the water fund and \$2,000 from the general fund because there is a portion of it that we will be able to use on the general fund side.

**ORANGE COUNTY STOP DWI - IMA**

The Mayor stated this agreement runs from January 30, 2017 – January 11, 2018. There is three enforcement periods. For the first enforcement period we are eligible for a\$ 2,372.00 reimbursement based upon overtime worked by the police in doing this.

**MOTION** was made by Trustee Daly to authorize the Mayor to sign and approve the Inter Municipal Agreement on the STOP DWI.

**SECOND** was made by Trustee Farrell

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Borowski	
Trustee Daly	

**2020 CENSUS UPDATE**

The Mayor stated we need approval to proceed with the paperwork for the every 10 year census for myself, Building Inspector and possibly the Village Clerk to complete.

**MOTION** was made by Trustee Farrell to approve to proceed with the paperwork on the census for the Mayor and possibly the Building Inspector and Village Clerk to help complete.

**SECOND** was made by Trustee Borowski

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Borowski	
Trustee Daly	

**BUDGET TRANSFERS/ENCUMBRANCE**

The Mayor stated we have a list of budget transfers/encumbrance from the Village Treasurer.

Encumbrance has to do with the software in the event we do not complete prior to May 31 and make final payment that we encumber the money into the new fiscal year to pay it then, but this makes all the transfers needed.

**MOTION** was made by Trustee Chichester to accept the Budget Transfers/Encumbrance as outlined in the Village Treasurers March 10, 2017 memo.

**SECOND** was made by Trustee Daly

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Chichester	NONE
Trustee Borowski	
Trustee Daly	

**BUDGET MODIFICATION**

The Mayor stated this is due to the fact of Judge Drian being awarded \$5,791.98 through a JCAP Grant so we have to increase the expense and revenue in the current budget by that much.

**MOTION** was made by Trustee Farrell to approve the Budget Modification.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**MWLL SCHEDULE REQUEST**

The Mayor stated the MWLL schedule and insurance is attached, which is good through January 2018. They are looking for safety netting this year for the top of the back stops and as long as they are going to have it done we shouldn't have an issue with it. Any other improvements they would have to come back. **MOTION** was made by Trustee Daly to approve the MWLL schedule request and safety meeting on the back stops added.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

Trustee Borowski asked are we going to give consideration to anyone else that may put in or was there a deadline posted to when to request?

Mayor replied we usually have all these application by the March meeting. If someone comes in later we will have to address it that time, but we have nothing as of right now.

Discussion broke out.

**USDA AGREEMENT – Canada Geese**

The Mayor stated we have the Agriculture Agreement in the amount of \$5,414.00 which we have been doing for several years

**MOTION** was made by Trustee Chichester to approve the USDA Canada Geese Agreement.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**WATER ACCOUNTS REQUEST**

Accounts 4540, 4541, 4542 and 4543

**MOTION** was made by Trustee Farrell to approve a one-time penalty and fee waiver on accounts 4540, 4541, 4542 and 4543

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**CLEAN SWEEP AUTHORIZATION**

The Mayor stated we need authorization for two DPW employees for Clean Sweep on April 22, 2017

**MOTION** was made by Trustee Daly to authorize for two DPW employees for Clean Sweep on April 22, 2017

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**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**VILLAGE HALL/PD RENOVATIONS**

The Mayor stated the Building Inspector and I have interview four architectural firms. We have suggested the proposal from the Andersen Design Group in the amount of \$6,500 for Schematic Architectural Design Sketches and preliminary Construction Budget Estimating.

**MOTION** was made by Trustee Chichester to approve the proposal from the Andersen Design Group in the amount of \$6,500 for Schematic Architectural Design Sketches and preliminary Construction Budget Estimating.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

**PLANNING BOARD APPLICATION REVISION**

The Mayor stated the Planning Board has submitted a revised application. They are looking for all LLC's to name the President, Treasurer and Vice Presidents of these companies so they know who to contact for information regarding their application.

Mayor asked the Village Attorney is there no issue with requesting who they are?

Attorney Darwin replied not that I can think of.

**MOTION** was made by Trustee Farrell to authorize the Planning Boards Application Revision pending if the attorney sees any issues with it.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Borowski  
Trustee Daly

**NAY:**  
NONE

Mayor stated I will recommend to the ZBA that they do the same thing on their application.

**ATTORNEY REPORT**

The Mayor stated the wetland mitigation agreement where do we stand with it are we close?

Attorney Dave Darwin stated I think we are close. I sent George Lithco my suggested changes to the last version of the deed restriction. He accepted those changes. Apparently Brian Orzel wants the deed restriction signed and recorded before the mitigation work is complete and I would prefer that we hold off on that until the mitigation work is completed. I spoke about that he sent Orzel and email suggesting a way that this could be finalized that would be acceptable to the Village and the Army Corp. I think I got something back late this afternoon, but I did not have a chance to look at it yet.

Mayor stated Brian Orzel is from the Army Corp of Engineers. There are some Code and Zoning issues that we had discussed, do you think we can get them in writing within the next couple of weeks so we can schedule a Public Hearing at the next Board Meeting?

**MOTION** was made by Trustee Chichester to approve a Public Hearing for April 18, 2017 at 7:15pm on Local Law #3 which would have to do with Code Changes and possible Zoning Changes.

**SECOND** by Trustee Farrell

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Trustee Chichester  
Trustee Borowski  
Trustee Daly

NONE

**PUBLIC COMMENT** - *NONE*

**MOTION** was made by Chichester to enter into Executive Session regarding Litigation and Attorney Client Privilege and a Personnel Issue

**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 Village Attorney Dave Darwin, Esq.

**MOTION** was made by Trustee Daly to adjourn Executive Session and return to the Regular Session.

**SECOND** was made by Trustee Farrell

**ALL IN FAVOR**

**MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Daly to adjourn the meeting at 8:55pm.

**ALL IN FAVOR**

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