



Village of Harriman

1 Church Street
Harriman, New York 10926
TEL: (845) 783-4421
FAX: (845) 782-2016

VILLAGE BOARD MEETING MARCH 10, 2020

6:45PM – AUDIT BILLS
7:15PM – PUBLIC HEARING – 2020 – 2021 Budget
7:20PM – PUBLIC HEARING LL#4 – Accessory Apartments
7:25PM – PUBLIC HEARING LL#5 – Multi Zone
7:30PM – REGULAR MEETING

AGENDA

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – February 11, 18 & 25, 2020**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. 2020-2021 BUDGET**
- 6. LOCAL LAW #4 2020**
- 7. LOCAL LAW #5 2020**
- 8. VILLAGE VIEW – Drainage District**
- 9. SURPLUS PROPERTIES**
- 10. REQUEST – Vacation Buy Back**
- 11. IMA – Stop DWI**
- 12. BUDGET TRANSFERS**
- 13. AUTHORIZE BID REQUEST - Generator**
- 14. SHOPS AT WOODBURY – Water Agreement**
- 15. APPRAISAL AGREEMENT – Water Easement**
- 16. REQUEST – Training DPW**
- 17. USDA AGREEMENT – Geese Control**
- 18. ATTORNEY REPORT**
- 19. PUBLIC COMMENT**
- 20. MOTION TO ENTER EXECUTIVE SESSION – ATTORNEY CLIENT PRIVILEGE**

UPCOMING MEETING DATES:

ZONING BOARD OF APPEALS MEETING:	April 1, 2020
PLANNING BOARD MEETING:	April 20, 2020
VILLAGE BOARD MEETING:	April 14, 2020

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6:45pm – Audit Bills

7:15pm – Budget

7:20pm – Public Hearing Local Law #4 – Chapter 140 – Section 140-8

7:25pm – Public Hearing Local Law #5 – Chapter 140 – Article VII

7:30pm – Regular Meeting

PUBLIC HEARING - BUDGET

Mayo read:

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, 12 Church Street, Harriman, New York, where it may be examined by all interested persons between the hours of 8:00 a.m. to 4:00 p.m.

Said tentative budget includes a maximum compensation for the Mayor of \$18,450 per year and for the Trustees of \$7,541 per year.

A summary of the tentative budget is as follows:

GENERAL FUND	\$3,134,346
WATER FUND	\$1,577,235

A Public Hearing on the budget will be held at 12 Church Street, Harriman, New York on March 10, 2020 at 7:15 p.m. to consider same before final adoption.

Mayor asked were there any written comments?

Clerk replied no.

No Public Comments

Mayor stated the tax levy increase from last year is 33,174.00 which is a 1.77% tax levy increase. Under the 2% tax levy cap the allowable increase is 1.86%. The Town of Monroe side of the Village will see a .8765 per thousand increase. The average home with a \$50,000.00 assessment will see an increase of \$43.83 in their tax bill. The Town of Woodbury side will see a .2277 per thousand increase. The average assessment their which is \$100,000.00 will see a \$22.77 increase per year in their tax bill. Taxable value on both sides, Town of Woodbury and Town of Monroe is up for the first time in years by .5%. The appropriations are up \$40,274 which is 1.3%. The nonunion base pay increase will be 2%. Two elected Justices will see a 2% increase. Village Board is not taking an increase in salary this year in order to remain within the tax cap. Planning Board and Zoning Board of Appeals Members will receive an additional \$100.00 under this budget.

MOTION was made by Trustee Farrell to close the Budget Public Hearing.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

PUBLIC HEARING LL #4 2020

Mayor read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 4 of 2020 amending and revising section 140-8 of Chapter 140 of the Code of the Village of Harriman relating to zoning district boundaries, pursuant to Sections 10 and 20 of

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the Municipal Home Rule Law, at Harriman Village Hall, 12 Church Street, Harriman, New York on March 10, 2020 at 7:20 p.m. or as soon thereafter as the matter may be heard.

The purpose of this local law is to:

1. amend subsection D of § 140-8 of the Village code (District Boundaries), relating to certain single lots divided by a district boundary. The amendment will clarify that the subsection applies only to lots divided by residential and business district boundaries. It will increase the owner's ability to extend the regulations for residential zoning in such lots, from 30 feet from the district boundary, to the entire lot, and preserve current allowable extension of business zoning regulations into the residential portion of such lots to 30 feet from the district boundary.
2. amend the Schedule of District Regulations, Part 2, column 9, relating to off-street parking. The amendment will change the calculation of required parking spaces per dwelling unit in apartment buildings in R-M districts.

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 stated I did receive correspondence from the Chairwoman of the Planning Board which states the Planning Board Members have all reviewed the proposed Local Law regarding District Boundaries and the Parking Spaces for Apartment Buildings we unanimously find it to be acceptable and recommendation of its adoption.

Mayor asked did we receive any other written comments?

Clerk replied no.

No Public Comments

PUBLIC HEARING LL #5 2020

Mayor read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 5 of 2020 amending Article VII of Chapter 140 of the Code of the Village of Harriman (Zoning) pursuant to Sections 10 and 20 of the Municipal Home Rule Law at the Harriman Village Hall **at its temporary location at 12 Church Street, Harriman, New York (formerly the Harriman School)** on March 10, 2020 at 7:25 p.m. or as soon thereafter as the matter may be heard.

The purpose of this local law is to amend Article VII of the Village Code, which regulates accessory apartments in the Village. The existing provisions of Article VII will be deleted and replaced with new provisions regulating the construction and permitting of accessory apartments, including provisions designating accessory apartments as a special use, requiring a special use permit and subject to site plan review by the Village of Harriman Planning Board. The schedule of district regulations will also be amended to include accessory apartments as an accessory use in R-100, R-50, R-M and PAD districts, and for existing, non-conforming single-family homes in B-1 and B-2 districts.

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.

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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 stated we did receive comment from the Chairwoman of the Planning Board. The Planning Board has made a motion and it was unanimously voted to adopt the Local Law amending and revising Article VII Accessory Apartments of Chapter 140 of the Code of the Village of Harriman Zoning and recommends its adoption in draft form.

Mayor asked did we receive any other comments?

Clerk replied no.

No Public Comments.

MOTION was made by Trustee Chichester to close the Public Hearings on Local Laws 4 and 5.

SECOND was made by Trustee Medina

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Medina.

NAY:

NONE

REGULAR MEETING

ROLL CALL

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

ABSENT: Chief Henderson

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 February 11, 2020 Regular Board Meeting and Budget Workshops of February 18 & 25?

MOTION was made by Trustee Farrell to accept the minutes of February 11, 2020 Regular Board Meeting and Budget Workshops of February 18 & 25.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Daly

Trustee Medina

Trustee Chichester

NAY:

NONE

INFORMATIONAL ITEMS:

- Overnight parking ban is still in effect until April 1st. That is from 11pm to 6am. In the unlikely event that we get snow, there is no parking on the streets until the snow has been removed.
- This evening's bills were audited:

Trust & Agency	\$	3,189.04
General Fund	\$	126,504.44
Water Fund	\$	54,139.24

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Upcoming Meeting Dates:

Zoning Board of Appeals – April 1, 2020

Planning Board – April 20, 2020

Village Board – April 14, 2020

Annual Organizational – April 7, 2020

- The Village is picking up brush on a weekly basis. Ask that you put it at the edge of your property, not in the street or on the sidewalk.
- Water Customers can sign up for email alerts, when the bills are coming and when they are late. Just contact the Village Clerk's Office if you would like to sign up for that.
- There has been several meetings lately of a Committee of the Orange County Legislature regarding Orange County Sewer District #1 and the Harriman Wastewater Treatment Plant and numerous issues having to do with it. Upgrades, Longevity and the never-ending capacity issue. On February 27th a letter was sent to Orange County Executive Neuhaus and the Orange County Legislatures. It stated the expansion of the capacity of Orange County Sewer District #1 is once again being discussed. This discussion involves some very large numbers on the cost of this expansion. Most of the community served by Orange County Sewer District #1 and the Harriman Wastewater Treatment Plant do not need nor have used the amount of capacity as has the Village of Kiryas Joel in the Town of Palm Tree. The extreme growth due to the up zoning to high density development, past, present and future in Kiryas Joel and Palm Tree has escalated the need for increased sewer capacity. As Supervisor's and Mayors, we are opposed to having our property owners to pay for a project which does not benefit them. We are not responsible for the extreme and unsustainable growth which has created the need for expansion. We are requesting that the Orange County Legislatures formulate and adopt a plan whereby the expansion cost is funded by those developers who need the capacity in all communities served by the Harriman Water Treatment Plant. We look forward to meeting with you to discuss a solution to the capacity issue. Signed by Tony Cardone, Supervisor of Monroe, Neil Dwyer, Mayor of Monroe, Rob Jeroloman, Supervisor of South Blooming Grove, James LoFranco, Mayor of South Blooming Grove, Frank Palermo, Supervisor of Woodbury, Tim Egan, Mayor of Woodbury, Robert Valentine, Supervisor of Chester, Tom Bell, Mayor of Chester and myself. The Letter was sent and the only response that I received was from Legislature Tuohy of Monroe.
- Planning Board and Zoning Board of Appeals still has openings. Anyone interested please send a letter to the Village Clerk.
- Orange County Municipal Planning Federation Annual Scholarship is \$1,000.00. Anyone interested we have paperwork here.
- Orange & Rockland continually is putting information out regarding payment fraud by contacting people. If you get a telephone call from Orange & Rockland don't entertain the people. If you have any questions of whether your bill is past due or whatever, you can hang up and call them at 877-434-4100.
- Coronavirus information - the New York State Department of Health has set up a hotline at 888-364-3065 and on the State Department of Health website there is a lot of information regarding it, should you be inquiring.
- Monroe Clean Sweep is set for Saturday, April 18 from 8am- Noon, starting at St. Anastasia's parking lot. All help would be greatly appreciated.

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- The demolition project for the old Village Hall is underway. They are doing the asbestos remediation currently. They anticipate being complete by the end of this week with the asbestos and then they will go into the demolition of the building itself. Regarding 2 Maple there is no start date yet. As the Contractor had to apply to the Department of Labor for a variance due to the close proximity to other houses there. They are anticipating getting those variances shortly and once they do the building will be posted for a minimum of 10 days stating that there will be asbestos removal in a contained manner according to the State guideline. We have not received word that they have gotten their variances so there can be no start date until that time.

Mr. Coleman of 4 Maple asked will someone contact us for preparation on moving cars?

Mayor replied you will be contacted prior to it. I have not given out telephone numbers or email addresses, just names and addresses which is publicly available information.

- **AGENDA ADDITION:**
17a) Park Request
- The 2020 Food Drive Event has commenced. Asking for unopened and unexpired nonperishable food. It will run until April 9, 2020. It can be dropped off at the Village Hall or at the Police Station anytime and we will bring it to a local Food Pantry.
- One other thing regarding the Orange County Sewer District and the Harriman Wastewater Treatment Plant. The County Legislatures are entertaining a Local Law. It is a Local Law establishing a limited reservation of treatment capacity at the Harriman Wastewater Treatment Plant and the County Attorney is saying that it does nothing to limit who can hook up at the Wastewater Treatment Plant. It only has to do with conveyance and the pipes. So those of us of the 9 Communities have been disputing what they are trying to do.
- The Heritage Trail - there has been a fair amount of work done in preparation for the entrance. It is my understanding that last week they finally released the plans for the decking that is going to go over the bridge. They are hoping to have everything ready by May 1, 2020.

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 \$27,351.00 of that \$17,930.00 remains with Village

Building Department – see attached report

\$ 316.00	Building Permits
\$ 600.00	Violation Searches
\$ 916.00	TOTAL

2020 – 2021 BUDGET

Mayor stated the public hearing was held. There were no public or written comments. The 2% tax levy cap this year allows a 1.86% increase. The increase that is proposed with the current budget is a 1.77% increase. The Town of Monroe that average \$50,000 assessment would see about a \$44.00 increase. Town of Woodbury with a \$100,000 assessment would see about a \$23.00 increase. The nonunion pay raise increase is set at 2%. The judges will receive a 2% increase. The Planning Board and Zoning Board of Appeals Members will see a \$100.00 a year increase and the Village Board is taking no increase in their salary

MOTION was made by Trustee Farrell to approve the 2020-2021 Budget.

SECOND was made by Trustee Chichester

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AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

LOCAL LAW #4 2020

Mayor stated the Local Law is amending 140-8d and the district regulations. We had a public hearing. There were no verbal comments, just one written from the Planning Board endorsing this.

MOTION was made by Trustee Daly to approve Local Law #4.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

LOCAL LAW #5 2020

Mayor stated the Local Law is amending Chapter 140 with regard to accessory apartments. Public Hearing was held. No verbal comments, just a letter from the Planning Board endorsing this.

MOTION was made by Trustee Medina to approve Local Law #5.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

VILLAGE VIEW – Drainage District

Mayor stated we are ready to set a Public Hearing on a Local Law to create this.

Attorney Darwin replied correct. A Local Law to establish the District and I spoke with Mr. Myro about the SEQRA review and they are supposed to be providing a Short Form EAF for the Board that would have to be done before the Board adopts that Local Law. We can set the Public Hearing in anticipation that the SEQRA will be done by then. Once the Local Law is adopted then the Board would set a Public Hearing for a Resolution for the Operation of Maintenance and Assessment Role.

MOTION was made by Trustee Chichester to approve setting a Public Hearing for April 14 at 7:15pm for the Village View Drainage District.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

Mayor continued at the same time we should schedule a Public Hearing for April 14 at 7:20pm for the repeal of Local Law #1 of 2020, on the tax cap override, which we did not have to do.

MOTION was made by Trustee Chichester to approve setting a Public Hearing for April 14 at 7:20pm for the repeal of Local Law #1.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

SURPLUS PROPERTY

Mayor stated there has been some interest. Still short of the appraised value. This is something that will have to be discussed in Attorney Client Privilege.

REQUEST – Vacation Buy Back

Mayor stated we received a letter from Ken Gopel requesting a buy back for one week of his vacation this year due to the amount of things he had going on and his lack of ability to take the vacation.

MOTION was made by Trustee Daly to approve Ken Gopel’s Vacation Buy Back request.

SECOND was made by Trustee Medina

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

IMA – STOP DWI

Mayor stated the Inter-Municipal Agreement with the County for the STOP DWI funds need authorization to sign. It is 50 hours in the amount of \$3,024.00 that we can spend up to.

MOTION was made by Trustee Farrell to authorize the Mayor in signing the Inter-Municipal Agreement for STOP DWI.

SECOND was made by Trustee Chichester

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

BUDGET TRANSFERS

Mayor stated we have Budget Transfers from the Treasurer in a memo of March 5, 2020.

MOTION was made by Trustee Chichester to accept the Budget Transfers as outlined in the memo of March 5, 2020 from the Treasurer.

SECOND was made by Trustee Daly

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

AUTHORIZE BID REQUEST - Generator

Mayor stated with the portable generator there are a couple of things that still need to be ironed out, but we do need authorization to go out to bid, with bids to be received by 1pm, April 8, 2020.

MOTION was made by Trustee Farrell to authorize the portable generator to go out for bid with a deadline of 1pm April 8, 2020.

SECOND was made by Trustee Chichester

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

SHOPS AT WOODBURY – Water Agreement

Mayor stated the Agreement has been reviewed by the Village Attorney. We have all of the backup document from Woodbury. Their capital contribution will be in the amount of \$517,100.00 and it is due in full prior to water service being turned on for their project.

MOTION was made by Trustee Medina to authorizing the Mayor to sign the Shops at Woodbury Water Agreement.

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SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

APPRAISAL AGREEMENT – Water Easement

Mayor stated an appraisal for a water easement we are looking to get. Finally got two proposals. One for \$1500.00 and one for \$3500.00 to do the appraisal.

MOTION was made by Trustee Daly to authorize the Mayor to sign the Appraisal Proposal to Certified Appraisal Service in the amount of \$1,500.00.

SECOND was made by Trustee Medina

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

REQUEST – Training DPW

Mayor stated a request from the DPW for training. Although there is not a course title to go along with it or a dollar figure, they have limited seating and don't really announce it until two weeks before and at that time it will be after our Board Meeting. Ron and Matt would like to register for this. They are usually \$35-40.00, so we can say the amount not to exceed \$100.00.

MOTION was made by Trustee Chichester to approve the DPW Training Request not exceeding \$100.00.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

USDA AGREEMENT – Geese Control

Mayor stated our Annual Inter-Governmental Agreement between the Village of Harriman and the United States Department of Agriculture in the amount of \$5,628.00 to keep the geese under control.

MOTION was made by Trustee Daly to accept the USDA Agreement for the geese control.

SECOND was made by Trustee Medina

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

PARK REQUEST

Lia – May 16 – 1-4pm

MOTION was made by Trustee Farrell to approve the Park Request for Lia, May 16, 1-4pm.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Daly
Trustee Medina
Trustee Chichester

NAY:
NONE

ATTORNEY REPORT

None

PUBLIC COMMENT

Jim Kelly – Oxford – On the Orange County Sewer issue are you getting anywhere?

Mayor replied as of right now at least the nine of us are standing together. We have one County Legislator who is being very helpful and as of now everyone is standing together which is something we haven't had in many years.

Mr. Kelly responded I am thinking if the Public came aware of it more because as it is moving those buildings are going to be occupied pretty soon. Cooperation is really great and I'm glad to see it, but it is going to take some kind of a movement from people because these Legislators are not in this District. It doesn't affect them.

Mayor replied our Legislator hasn't done anything about it.

Mr. Kelly responded just like we had with United Monroe we changed the whole system. We did something to change it. It is just an idea. I am not an organizer. I don't know how to do it, but United Monroe changed the whole system throughout Monroe.

Mayor replied I hear you. It is a matter of keeping the nine Elected Officials going to the meetings. There was an article in the paper after the last meeting and I stated there we shouldn't have to pay. The Town of Woodbury's Supervisor agrees with me that we shouldn't be in the business of helping other businesses make money by paying for their capacity and everyone else in the room was in agreement and that is why they were all willing to sign this letter. We are just going to have to keep on top of it. There are five Legislature's with Constituents that rely on the Harriman Wastewater Treatment Plant. That is Katie Bonelli, Part of Town of Palm Tree, Michael Amo, most of Kiryas Joel, John Vero, Chester, Lori who has us and Woodbury and then Pete Tuohy who has part of Monroe. Pete has been very active and working with us. We are looking to schedule a meeting with the County Executive for the nine of us to sit with him. Will see where we get. Hopefully, Chris McKenna keeps showing up at these meetings and puts stuff in the paper. That will get the people to know what is going on.

Mr. Kelly responded people only react when they think it is going to affect their pocketbook.

Mayor replied if they start an expansion it is going to affect their pocketbook.

Mr. Kelly stated the last Legislator, Myrna brought this subject up five years ago. Every time she brought it up at the Monroe Board about the situation, she said it many times, you are going to be flushing and it is going to come back at you.

Mayor responded that is going to happen in Kiryas Joel. They are trying to disguise capacity in a pipe as this. Right now, on Friday evenings they have a problem in Kiryas Joel. The manhole covers start to pop. Sixteen Hundred more homes is going to make them fly. There is going to be issues where it is going to be very noticeable very shortly.

Trustee Chichester asked would you agree that it certainly wouldn't hurt if we could get a letter writing campaign to the Legislature's. If we can create something like that.

Mr. Kelly replied people vote. When you are at your meeting you can casually put the seed there that maybe we should do some letter campaigning because these other guys aren't moving.

Mayor replied absolutely I encourage you to contact your Legislator and any other ones you think would help.

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Mr. Kelly responded you are a good spokesperson and you just say it like it is. Maybe something like this would get the other people to move a little bit. I know Tony and the rest of them are concerned.

Mayor stated you also need everybody else to let their Constituents know what is going on.

Mr. Kelly replied exactly.

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

SECOND was made by Trustee Medina

AYE: Trustee Farrell

Trustee Daly

Trustee Medina

Trustee Chichester

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 Deputy Mayor Chichester to adjourn Executive Session at 8:40pm and return to Regular Meeting.

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Medina to adjourn Regular meeting at 8:41pm.

SECOND was made by Trustee Chichester

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk