

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
March 25, 2014**

6:40 P.M. – MOTION FOR EXECUTIVE SESSION FOR INTERVIEW

7:00 P.M. – REGULAR MEETING

MOTION was made by Deputy Mayor Shuart to enter into Executive Session for Part Time Court Clerk interviews

SECOND was made by Trustee Chichester

ALL IN FAVOR

PRESENT IN EXECUTIVE SESSION: Trustee Chichester, Trustee Shuart, Trustee Sacher, Trustee Mosca and Mayor Welle.

Mayor Welle stated at this time there are no candidates present to interview.

6:45PM Judge Weinberg arrived

Candidate did not appear for interview

MOTION was made by Deputy Mayor Shuart to adjourn Executive Session at 6:50 pm.

SECOND was made by Trustee Chichester

ALL IN FAVOR

REGULAR MEETING TO START AT 7:00 pm

ROLL CALL:

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Christine Sacher, Trustee Lawrence Mosca, Village Clerk Kelly Kearney, and Village Attorney Marissa Tuohy of Ostrer & Associates.

Approximate Public Attendance at the meeting was 6.

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

APPROVAL OF MINUTES:

Mayor Welle asked if there were any changes or additions to the minutes of the March 11, 2014 Board Meeting or the Budget Meeting on March 13 and 19, 2014. Trustee Sacher stated yes, there was discussion, a sort of a lengthy discussion regarding, Mayor, your decision to replace Kelly as the Building Dept. Secretary and that discussion has been left out of the Minutes. Mayor Welle stated okay, then Mayor Welle stated I do not recall a lengthy discussion. Trustee Sacher stated it was a couple of minutes and I think it is worth putting into the Minutes. Mayor Welle stated any other discussion. Mayor Welle stated let the Minutes be accepted as written with the noted correction. Trustee Sacher stated well I am not accepting the Minutes, so I do not know if you are taking that as accepting them. Mayor Welle stated with the noted correction, you are not accepting them. Mayor Welle stated is that correct. Trustee Sacher stated well there is nothing in there regarding that and you are asking me to accept these. Trustee Shuart stated he noted the correction right. Mayor Welle stated I said with the noted correction. Trustee Sacher stated once they are corrected I will see if I want to accept them. Mayor Welle stated that is fine, so the Minutes of March 11, and Budget Minutes of March 13 will be accepted as written. The Board agreed on the accepting the Minutes of March 11 and March 13.

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INFORMATIONAL ITEMS:

- There will be one addition to add to the agenda this evening:
#7B Snow blower
- Upcoming meeting dates:
Village Organizational Meeting: April 1, 2014
Zoning Board of Appeals Meeting: April 2, 2014
Village Board Meeting: April 8, 2014
Planning Board Meeting: April 21, 2014
- Mayor Welle stated Clean Sweep will be Saturday April 26 8 am to noon
- Mayor Welle stated the Village will be celebrating its Centennial on October 11, 2014.
- Mayor Welle stated that the Planning Board and Zoning Board of Appeals still have alternate positions opened on the Boards. Anyone interested should submit a letter of intent to the Village Clerk.
- Mayor Welle stated that in accordance with Village Codes:
Code132-15 No overnight parking in the Village from November 1st thru April 1st from 11pm – 6am.

FIELD REQUESTS:

Mayor Welle stated we have no one here from any of the teams tonight; Mayor Welle asked what would be the Board's pleasure with this. Trustee Mosca stated would be nice to hear for them. Trustee Sacher stated I thought the Fire Dept needed to provide some more information. Mayor Welle stated that the Fire Company did email him and their insurance will cover the foul balls. Trustee Sacher stated, it will cover. Mayor Welle stated will cover. Trustee Shuart stated we have the same problem every year with these fields; maybe a couple of people can get together and try to work something out with them. Trustee Chichester stated that was my thought. Trustee Shuart stated I don't know how else to do it. Trustee Chichester stated we have done this in years past. Trustee Shuart stated we have 4. Trustee Chichester stated actually 3 because one does not have a player that lives in the Village of Harriman. Trustee Shuart stated every year we have the same thing, we should really almost and they all come here first it seems. Trustee Chichester stated I do want to see our youth have a place to come and play but I think the managers and directors of the leagues should at least have the insight to come and request when they are told to come in. Trustee Chichester stated he is for forming a Committee to meet with them. Mayor Welle asked are you volunteering to be on it. Trustee Chichester stated if no one else will I will. Trustee Mosca asked usually someone from the Board and John meets with them. Trustee Chichester stated no, last year it was me and Christine or two years ago. Trustee Sacher stated yes and we did sit with John one year I don't know if it was to make the schedule or because of the fields. Trustee Chichester stated we invited John in to talk about the fields. Trustee Mosca asked are the fields over played, I guess there is no one here to talk about the conditions of the fields. Mayor Welle stated the fields are far from ready to be used. Trustee Shuart stated and they need to breathe is that the correct term, they cannot be over used they need to rest or breathe or something like that. Trustee Mosca stated we definitely need more information. Trustee Shuart stated the fields will not be ready for a while anyway. Mayor Welle stated then Trustee Chichester I will let you get in contact with them. Trustee Chichester stated no one else will work with me. Trustee Shuart stated I will.

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PARK TIME CLERK POSITION:

Mayor Welle stated we will leave this on the agenda until the next meeting.

PARK REQUESTS:

PARK REQUEST – Orange County Chinese Association: Mayor Welle stated that the Orange County Chinese Association from a resident on Melody Lane is requesting use of the pavilion at Mary Harriman Park on June 21, 2014 from 10:00pm to 4:00pm for a barbeque party for approximately 75 people. Mayor stated the insurance they submitted is not correct, so we need a valid insurance certificate

MOTION was made by Trustee Chichester to approve the use of the park as outlined by the Mayor with the request pending that valid insurance is provided.

SECOND was made by Trustee Mosca.

AYE: Trustee Shuart **NAY:** -0-
Trustee Sacher
Trustee Chichester
Trustee Mosca

PARK REQUEST – Cadetle Troop: Mayor Welle stated that a resident is requesting that her Girl Scouts Cadetle Troop 278 use of the pavilion at Mary Harriman Park on May 4, 2014 from 1:00 pm to 3:00 pm for approximately 50 people.

MOTION was made by Trustee Shuart to approve the use of the park as outlined by the Mayor.

SECOND was made by Trustee Chichester.

AYE: Trustee Shuart **NAY:** -0-
Trustee Sacher
Trustee Chichester
Trustee Mosca

CLEAN SWEEP APPROVAL – MANPOWER:

Mayor Welle stated we need Board approval for two DPW employees to work on Saturday April 26, 2014 for Clean Sweep as we have done in the past.

MOTION was made by Trustee Shuart to approve two DPW employees to work on Saturday, April 26, 2014 for Clean Sweep

SECOND was made by Trustee Chichester

AYE: Trustee Chichester **NAY:** -0-
Trustee Mosca
Trustee Sacher
Trustee Shuart

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BID REGARDING SNOW BLOWER:

Mayor Welle stated we received a high bid of \$390.00 for the snow blower, he continued to say that earlier today there appeared to be a problem, it is supposed to be worked out with the high bidder. In the event that it is not worked out, I am looking for authorization to approve the next high bidder which was \$380.00 only if the first one does not pan out. This is because it has already been a week. Trustee Mosca asked what was the issue? Mayor Welle stated it was an issue on payment.

MOTION was made by Trustee Chichester to authorize as outlined by the Mayor.

SECOND was made by Trustee Mosca.

AYE: Trustee Shuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

ELECTION DAY RESOLUTION:

Mayor Welle stated everyone has it in front of them; you cannot make this stuff up. Basically, the Mayor said when Village Election Day falls on March the 17th, NYS states you have to pass a Resolution to make the Village Election Day March the 18th. Mayor stated next year's Election falls on March the 17th so the Mayor read:

Since next year, the Village Election will be scheduled for Tuesday, March 17, 2015, and since the 17th is St. Patrick's Day and Village Law section §15-104 b states if any village in which the general village election, or special village election for officers pursuant to this chapter, is scheduled to be held on the third Tuesday of March, for any years in which the seventeenth day of March shall fall on such Tuesday, the board of trustees of such village shall provide, by the resolution prescribed by paragraph b of subdivision three of this section, that such election shall be held on the eighteenth day of March. Any provision of a resolution adopted pursuant to this subdivision shall not otherwise alter the political calendar for such election, which shall continue to be computed from the third Tuesday of March.

So, we need to make a Resolution stating:

MOTION was offered by _____, seconded by _____, to adopt the following resolution:

WHEREAS, Section 15-104 (a) of the Election Law provides that Villages with elections held in March of each year be held on the third Tuesday in March: and

WHEREAS, when the third Tuesday in March falls on the 17th (St. Patrick's Day), the Village Board of Trustees is required to adopt a resolution providing the election will be held on March 18.

NOW, THEREFORE, BE IT

RESOLVED that the Village Board of the Village of Harriman does hereby adopt this resolution changing its General Election date from March 17, 2015 to March 18, 2015 due to the St. Patrick's Day holiday.

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ELECTION DAY RESOLUTION: (Cont'd)

The Village Clerk did state that she called NYS Board of Elections and it is true.

MOTION was made by Trustee Chichester to adopt the Resolution as outlined by the Mayor.

SECOND was made by Trustee Mosca.

Trustee Shuart did state he does not understand why if it is a State Law do we need a Resolution.
Mayor Welle stated it says New York State.

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart
Trustee Mosca

PUBLIC HEARING 2014 – 2015 BUDGET:

Mayor Welle stated we need Board authorization to authorize the Treasurer to publish a notice for a Public Hearing on the 2014-2015 Budget which will be April the 8th at 7:15 pm.

MOTION was made by Trustee Chichester to authorize as outlined by the Mayor.

SECOND was made by Trustee Shuart.

AYE: Trustee Shuart **NAY:** -0-
Trustee Sacher
Trustee Chichester
Trustee Mosca

BUDGET TRANSFER:

Mayor Welle stated we received a request from the Village Treasurer in a memo dated March 25, 2014

MOTION was made by Trustee Shuart to approve the budget transfer request as outlined by the Mayor.

SECOND was made by Trustee Chichester.

Trustee Mosca asked this is for extra work Lanc & Tully did, is this just so the money is there to pay them. Mayor Welle stated no it's for John Lanc and others have been working on all the stuff for the tank, that has been approved by the Board.

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart
Trustee Mosca

Mayor Welle stated before he goes into Attorney Report, for those of you that just came in. Trustee Chichester and Trustee Shuart will be getting together and contacting you to attempt to work out a schedule and to work out all the details to bring back to the Board. Rather than, we had a short discussion on it and rather than trying to work this out up here tonight with all the different entities, we felt it would be better at this point to sit down with you and see what can be worked out. The Mayor stated the use of the fields is not going to happen in the next week or two anyway, so this is not going to hold anybody up. The Mayor stated so you will be contacted and you will get together and hopefully you can all workout whatever it may be that we workout for field use this year. Trustee Chichester asked that they all leave their contact information with the Village Clerk before they leave this evening.

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ATTORNEY REPORT:

- Marissa stated that she did draft a very draft local law for the change regarding the industrial zone change. I have copies for the Board tonight to look over and give feedback as to what you are looking for regarding it.
- Mayor Welle asked you brought paperwork regarding the releases. Marissa stated I think that should be discussed in Executive because it is regarding litigation.

PUBLIC COMMENT:

There being no comments.

MOTION was made by Trustee Shuart to enter into Executive Session for discussion on the DPW contract, litigation with Dave Gordon ESQ. who will be here a little later and attorney/client privilege.
SECOND was made by Trustee Chichester.
ALL IN FAVOR.

At this time the Village Clerk was excused from the meeting. The following was given by Mayor Welle:

Executive Session was held with Village Attorney Marissa Tuohy, and David Gordon Esq..

MOTION was made by Trustee Shuart to end Executive Session and return to the regular meeting.
SECOND was made by Trustee Chichester.
ALL IN FAVOR

MOTION was made by Trustee Shuart
To make a **MOTION** to the Supreme Court Appellate Division for leave to appeal the court's decision to reverse the nullification of the County's 2010 agreement to expand the Harriman Waste Water Treatment Plant
SECOND was made by Trustee Chichester
ALL IN FAVOR

A **MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Mosca to adjourn the meeting at 9:05 pm.
ALL IN FAVOR.

Respectfully submitted by _____
Kelly Kearney, Village Clerk