

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
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7:00pm – Audit Bills
7:25pm – Public Hearing – Local Law #3 - 2016
7:30pm – REGULAR MEETING

Public Hearing:

Mayor Welle read the following:

VILLAGE OF HARRIMAN
PUBLIC HEARING

PLEASE TAKE NOTICE THAT the Village Board of the Village of Harriman will hold a public hearing on proposed Local Law No. 3 of 2016 entitled “A Local Law to Repeal Local Law Number 1 of 2016” at 1 Church Street, Harriman, New York on May 10, 2016 at 7:25pm or soon thereafter as the matter may be heard. Said currently proposed Local Law will allow the Village of Harriman to repeal Local Law No. 1 of 2016, which was adopted on February 9, 2016 which granted authority to the Village Board to override the limit on the amount of the real property taxes that may be levied, pursuant to the General Municipal Law §3-C and which would have allowed the Village Board at its discretion to adopt a Village budget for fiscal 2016/2017 that require a real property tax in excess of the tax levy.

PLEASE TAKE FURTHER NOTICE that the Village Board adopted a Village budget for fiscal 2016/1027 that did not exceed the tax levy limit, and therefore, the Village Board wants to repeal Local Law No. 1 of 2016, thereby, making the Village residents eligible for a New York State Property Tax Rebate Program.

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.

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF HARRIMAN
JANE LEAKE, VILLAGE CLERK

Dated: April 29, 2016

No written or verbal comments.

MOTION was made by Trustee Farrell to close the Local Law #3 Public Hearing at 7:27pm.

SECOND was made by Trustee Borowski

AYE: *Trustee Borowski* **NAY:**
Trustee Farrell *NONE*
Trustee Chichester
Trustee Shuart - absent

Respectfully submitted by: _____
Jane Leake, Village Clerk

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7:00pm – Audit Bills

7:25pm – Public Hearing – Local Law #3 - 2016

7:30pm – REGULAR MEETING

Regular Meeting:

ROLL CALL

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

ABSENT

Deputy Mayor Ed Shuart

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

Attorney Dave Darwin arrived.

APPROVAL OF MINUTES

Mayor Welle asked if there were any changes or additions to any of the minutes of 4/12/16.

MOTION was made by Trustee Chichester to accept the minutes of 4/12/16 Village Board Regular Meeting

SECOND was made by Trustee Farrell.

AYE: Trustee Borowski

Trustee Farrell

Trustee Chichester

NAY:

NONE

INFORMATIONAL ITEMS:

- On the April 12th meeting the number of the bills was not read as follows:

General Fund	\$122,777.00
Water Fund	\$ 85,873.66
Trust & Agency	\$ 4,733.96

- This evenings bills were audited:

General Fund	\$59,609.55
Water Fund	\$96,652.56
Trust & Agency	\$ 3,009.03

- Upcoming Meeting Dates:
 - Zoning Board of Appeals Meeting - June 1st
 - Planning Board – May 16th & June 20th
 - Village Board Meeting – June 14th

- Memorial Day Week Garbage Schedule on the Monroe side is as follows:
 - Garbage Collection – Tuesday & Friday
 - Recycle – Thursday

- We received a notice from the Health Department violation regarding the chlorides. It is a running average and we are working on various ways to combat this. It is an ongoing project and everyone was notified.

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- The DEC issued an answer on the Joint Lead Agency Status regarding the Pilgrim Pipeline and their contention is that the DEC and the Thruway can be co-lead agencies.
- Earlier this month Deputy Mayor Shuart, Trustee Farrell & I attended the Association of Towns, Villages & Cities Meeting. Trustee Farrell and I attended the Clean Sweep and I would like to thank all of the participants and donors. The Department of Public Works and the Police Department working together it was a successful day and we would like to continue it every year. There were some businesses that were not recognized on the t-shirts and that will be addressed.
- We have concluded negotiations with the PBA and the DPW labor contracts. They have not voted on them yet so there is a possibility later this month there will be a special meeting called specifically to adopt and approve the contracts assuming that both unions vote affirmative on theirs.

DEPARTMENT REPORTS:

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report. Funds - \$15.00

Water Account Adjustments – see attached report

Court Reports – see attached reports

Building Department – see attached report

\$ 260.00	Building Permits
\$ 50.00	Demolition Permit
\$ 100.00	Certificate of Compliance
\$ 1150.00	Violation Searches
<u>\$ 105.00</u>	Building Permit Extensions
\$ 1,665.00	Total

Water bills went out in the amount of \$327,813.81. With the passed dues it is \$440,986.70.

LOCAL LAW #3 – 2016 –

The Mayor stated to repeal local law #1 which was for the tax cap override the Public Hearing was held and there were no written or verbal comments.

The actual tax cap was a .7107. Budget came in as .7081.

MOTION was made by Trustee Chichester to adopt local law #3 of 2016.

SECOND was made by Trustee Borowski.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY: NONE

FIELD USE MODIFICATIONS –

The Mayor stated regarding the field usage by the Little League and the Travel Teams we have an updated schedule.

MOTION was made by Trustee Chichester to approve the updated Field use schedule for the Little League and Travel teams.

SECOND was made by Trustee Borowski.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY: NONE

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2016/2017 PROPERTY TAX CORRECTION –

The Mayor stated at the last meeting an error was made regarding the property tax. The budget didn't change and the rate didn't change. The comparison is what was incorrect, due to incorrect numbers given by Woodbury last year. On the Monroe portion there will be an increase of approximately .25 a thousand and on the Woodbury portion there will be approximately .20 per thousand. The differences in those rates are due to the NYS equalization rate.

EMPLOYEE HANDBOOK UPDATE –

The Mayor stated Section 808 Medical Insurance for retirees eligibility under #1 we need to add full time employee

MOTION was made by Trustee Farrell to change the Section 808 of the Employee Handbook.
SECOND was made by Trustee Chichester.

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

FIRESTORM ROLLER DERBY REQUEST –

Rachel Holm one of the founders of the Firestorm Roller Derby stated we are trying to establish ourselves in Orange County. We currently skate at Ice Team in Newburgh, but we are looking for other places to skate and due to the location of the majority of our skaters Mary Harriman Park is very central to all. They will be coming from Monroe, Central Valley, Middletown and Northern New Jersey so this is a very key point for us. We are looking to use the rink once or twice a week. Upon doing so our skaters (25-30) will tend to regularly make use of the shops in the area, which we do already.

The Mayor stated I think there are a number of issues we would have to check into and sit and discuss with someone before the Board can make any kind of an informed decision on this. If the Board is in agreement they can authorize myself and another Trustee if available to meet to discuss this along with the attorney regarding where we will be with this in terms of allow/disallowing this to go on.

MOTION was made by Trustee Chichester to approve the Mayor and one Trustee to meet with the Firestorm Roller Derby along with the attorney.

SECOND was made by Trustee Farrell.

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

TAX COLLECTION NOTICES –

The Mayor stated enforcement to Marie Coimbra, Village Treasurer you are hereby directed to receive and collect from the several persons named in the tax roll hereon to a next the several sums stated in the last column opposite of there said names in a total of 100,788,185.70 for the following purpose: The current budget \$100,779,887. Delinquent water \$8,298.70 and that is the corrected amount on the water after some were paid that the Board had previously authorized re-levying. You are further directed to receive and collect such sums without additional charge between the 1st day of June and the 30th day of June both inclusive and thereafter to collect with such of the sums that have not been to for collected and an additional charge of 5% for the first month or fraction thereof at 1% for each month thereof/thereafter until paid. You are further directed to file the tax roll warrant in your office on or before the 14th of October 2016 and to deliver to the Orange County Commissioner of Finance in Goshen. The remaining taxes due and unpaid showing the person/persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

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Notice of collection section pursuant to section 14-28 of the real Property Tax Law of the State of New York. The warrant and tax roll for the collection of the Village Taxes of the Village of Harriman, New York has been filled with the Village Clerk for the fiscal year June 1, 2016 to May 31, 2017. Taxes will be received at the Village office, 1 Church Street Harriman New York daily from June 1, 2016 to June 30, 2016 except Saturdays, Sundays and Legal Holidays without penalty. Beginning July 1, 2016 5% will be added for the month of July and one percent for each month thereafter until paid.

PAVILION REQUESTS –

Giacose, May 22nd, 1-4pm
Kamimura, June 4th, 11-7pm
Rivera, May 29th, 3-7pm
Hu, June 25th, 11-5pm
Sainato, July 16th, 12:30-Dusk
Coimbra, May 26th, 4-7pm

MOTION was made by Trustee Chichester to grant all park requests.

SECOND was made by Trustee Borowski.

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

The Mayor stated the last one is a request for a refund, due to children's sports schedule they are cancelling. They are looking for a credit or refund.

MOTION was made by Trustee Chichester to approve a refund for Greene park request.

SECOND was made by Trustee Farrell

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

PLANNING BOARD RESIGNATION/APPOINTMENT –

The Mayor stated we have an alternate Planning Board resignation letter from Jennifer Carrillo. She is not able to commit.

MOTION was made by Trustee Borowski to accept Jennifer Carrillo's resignation letter.

SECOND was made by Trustee Farrell

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

The Mayor stated we have Michael Zwarycz for an alternate on the Planning Board with a term expiring April 2019. We appreciate your willingness.

MOTION was made by Trustee Chichester to appoint Michael Zwarycz as an alternate for the Planning Board term expiring April 2019.

SECOND was made by Trustee Borowski

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

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SEASONAL DPW EMPLOYEE –

The Mayor stated several years we have had a seasonal worker and it is budgeted in the 2016/2017 budget. John is looking to hire him earlier at \$15.00 hour. From start date to June 1st he will be paid from A.5142.100 which is snow removal and then commencing June 1st it will be paid out of the seasonal employee line.

MOTION was made by Trustee Chichester to approve Paul Fusik as a DPW seasonal employee starting ASAP.

SECOND was made by Trustee Farrell.

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

WATER ACCOUNT REQUESTS –

Account 5426 – denied – lack of a motion

Account 7337 – denied – lack of a motion.

CAPITAL ACCOUNTS – 1/10/12 –

The Mayor stated on January 10, 2012 we ratified the capital police reserve, capital park land reserve, capital building improvement reserve and the capital highway reserve. This was due to not being able to find the original documents that created these. It was unanimously approved by the Board and was supposed to be published in the paper. Unfortunately that did not happen. They have now been published in the Times Herald Record.

MOTION was made by Trustee Borowski to append these resolutions to the January 10, 2012 minutes.

SECOND was made by Trustee Chichester

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

TREASURER REQUESTS –

The Mayor stated the Treasurer is requesting that we transfer \$50,000 to the Capital Highway Reserve Fund, \$50,000 Capital Police Reserve Fund and \$100,000 to the Capital Building and Improvement Fund.

MOTION was made by Trustee Chichester to approve the transfers requested by the Treasurer.

SECOND was made by Trustee Farrell.

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

The Mayor stated the next request for the Treasurer is to hire the firm Danziger & Markhoff LLP to do the GASB 45 audit. They were the low price of \$2,700.00.

MOTION was made by Trustee Chichester to approve the firm Danziger & Markhoff LLP to do the GASB 45 audit.

SECOND was made by Trustee Borowski.

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

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The Mayor stated we have a revised budget transfers from the Village Treasurer.

MOTION was made by Trustee Chichester to approve the revised budget transfers requested by the Treasurer.

SECOND was made by Trustee Farrell.

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

DPW SUPERINTENDENT TRUCK REQUEST –

The Mayor stated the DPW Superintendent would like to order the dump truck that was budgeted in the 2016/2017 budget. It will be a piggyback on the Onondaga County award with an amount not exceeding \$143,000.

MOTION was made by Trustee Borowski to approve the purchase of a dump truck for the DPW.

SECOND was made by Trustee Chichester.

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

POLICE CHIEF VEHICLE REQUEST –

The Mayor stated the Police Chief has requested to order a 2016 Ford Utility Police Vehicle as budgeted in the 2016/2017 budget. This is also a piggyback award in an amount not to exceed \$37,000.

MOTION was made by Trustee Chichester to approve the purchase of a 2016 Ford Utility Police Vehicle.

SECOND was made by Trustee Farrell

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

O&R PROPOSAL –

The Mayor stated several months ago I presented to the Board a proposal from a contract on behalf of Orange & Rockland for upgrades in the lighting that would save money. When contacting O&R they informed me that the previous vendor had been let go, therefore O&R sent their own people out to audit our building and approximately \$11,000.00 lighting upgrade would cost the Village \$5,348.37 and there will be a pay back with the reduced cost in electric in approximately 1 year and 9 months.

MOTION was made by Trustee Borowski to approve the upgrade on lighting within the Village by O&R for a cost of \$5,348.37.

SECOND was made by Trustee Chichester.

AYE:	NAY:
Trustee Farrell	NONE
Trustee Chichester	
Trustee Borowski	

Trustee Farrell asked did you say it will take about a year for us to see anything?

Mayor replied 1 year and 9 months to average out between the three of them.

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HARRIMAN ENGINE COMPANY #1 WATER REQUEST –

The Mayor stated we have water request from the Harriman Engine Company #1 for their annual carnival from June 2nd to June 5th in the Home Depot parking lot. We have been providing water for several years at the out of Village rate and we have waived the meter charge.

MOTION was made by Trustee Chichester to approve the water request for Harriman Engine Company #1.

SECOND was made by Trustee Farrell.

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

RESOLUTION #1 – 2016 PILGRIM PIPELINE –

The Mayor stated we have a resolution here regarding the Pilgrim Pipeline supporting Assembly Bill 9831 basically requesting that the State prohibit the pipeline from going on the Thruway property due to all the potential issued that a lot of people along the 178 mile route see as a possibility. I am asking the Board to approve this and sign for distribution. Assemblyman Brabanec who I met with last week is a co-sponsor on this along with Assemblyman Skoufis.

MOTION was made by Trustee Chichester to approve the resolution regarding the Pilgrim Pipeline.

SECOND was made by Trustee Borowski.

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

DPW EMPLOYEE – PROBATION –

The Mayor stated it is recommended by the DPW Superintendent that we authorize the completion of the probation period for Matthew Pascullo.

MOTION was made by Trustee Chichester to grant the probation completion period for Matthew Pascullo.

SECOND was made by Trustee Borowski.

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

ATTORNEY REPORT –

Attorney Darwin stated he has a couple of things for executive session and that he did schedule a meeting with the Village Mayor, the Mayor, Village Engineer and myself concerning the establishment of a Water District in the Town of Woodbury on Friday, May 13th. Hopefully we will be able to start putting that together and moving forward.

The Mayor stated we have a request from Solar City for a refund. We discussed earlier today that there is nothing in our Code that would allow for a refund unless they paid the fee and the Building Inspector denied them a permit, it my understanding.

Mr. Darwin replied that is correct.

The Mayor stated there is no way at this time to refund the permit fee. My only question is at the same time the permit fee was paid a certificate of compliance was also paid. Would that be refundable?

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Mr. Darwin replied I think it can be refundable.

The Mayor stated the Board would have to approve refunding the Certificate of Compliance fee to Solar City for the permit they cancelled.

MOTION was made by Trustee Chichester to approve refunding the Certificate of Compliance fee to Solar City for the cancelled permit.

SECOND was made by Trustee Borowski.

AYE:

Trustee Farrell
Trustee Chichester
Trustee Borowski

NAY:

NONE

PUBLIC COMMENT –

Mr. Hagopian stated he was at a recent Planning Board Meeting and the estate of Kabinoff mentioned something about a parcel that the Village was dealing with Mercedes on the corner of North Main and River Road.

The Mayor replied Mercedes Benz has to do some wetland mitigation at the corner of North Main and River Road. The Village owns the property there and it goes back, including the other side of the stream and they are looking to do some mitigation in there to satisfy the Army Corp. of Engineers. No construction of any sort, it is plant things and that nature.

Mr. Hagopian asked so it doesn't have anything to do with the Kabinoff property?

The Mayor replied no, we have nothing to do with the Kabinoff property. I heard that they are looking to do something, but we are not in any agreement with Kabinoff to do anything or get involved in this with them. If Mercedes gets involved with him that is between Kabinoff and them.

Mr. Hagopian asked have you heard anything on the 129 acres on 17?

The Mayor replied I heard it was sold anymore then that I haven't heard.

Mr. Hagopian stated the rumor is that Legoland was looking at that. Have you heard that?

The Mayor replied they were looking at it. It is my understanding that they don't want it, but that could change. Being that the majority of that is in Woodbury they wouldn't be dealing with us first.

Mr. Hagopian replied just for water though.

The Mayor replied they would have to come to us for water, but in terms of zoning no. The Village has between 12 and 15 acres in the Village of Harriman and I think there is 4 or 5 acres that is actually in the Town of Monroe, but the rest of it is in Woodbury.

Mr. Hagopian responded thank you.

MOTION was made by Chichester to enter into Executive Session for Attorney Client Privilege Items and Litigation.

SECOND was made by Trustee Farrell.

ALL IN FAVOR.

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

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The following was given by Mayor Welle:

Executive Session with Dave Darwin, Esq.

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

SECOND was made by Trustee Borowski.

ALL IN FAVOR.

A **MOTION** was made by Trustee Farrell and **SECONDED** by Trustee Borowski to adjourn the meeting at 8:55pm.

ALL IN FAVOR.

Respectfully submitted by: _____
Jane Leake, Village Clerk