

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**May 8, 2018**  
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**6:45pm – AUDIT BILLS**

**7:15pm - PUBLIC HEARING – Local Law #6 – Zoning Amendments**

**7:25pm – PUBLIC HEARING – Local Law #5 – Repeal LL#1**

**7:30pm – REGULAR MEETING**

**PUBLIC HEARING**

NOTICE OF PUBLIC HEARING – Mayor Read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 6 of 2018 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 May 8, 2018 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 14 – Zoning, including additions and amendments to § 140-4 (Definitions); Article VI (§§ 140-37 - 140-41, Planned Unit Developments); Schedule of District Regulations, Parts 3, 4 and 6, relating to PAD, B-1 and B-2 zoning tables; and deleting § 140-13(e) (Accessory Buildings/Garages). 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 the Board will vote later whether to close the Public Hearing. It will probably not be closed this evening as we are waiting for comments back from the Planning Board and the County of the 239 reviews. The Board will set a date on up to when the written comments will be accepted.

The Mayor asked have we received any written correspondence?

Ms. Leake replied no.

Kristen O'Donnell from Lanc & Tully on overview on proposed zoning changes

Ms. O'Donnell stated we have proposed some red line zoning changes. We have prepared a cover letter to briefly summarize those changes. The majority of those changes are clarifications. The first section is mainly Code definitions that we added. We have heard from your Code Enforcement Official and Planning Board Attorney that the Planning Board wanted some additional direction with some of the types of uses they were getting so they can assure what is being permitted and what they are reviewing is what the Village Board intends to be occurring. We have some new definitions for you. We also permitted some additional Uses which you can see in the Tables in the B-1 and B-2 Districts. We added Outdoor Cafes as Accessory to Restaurants, Daycare Centers, Nursery School, Indoor Sports and Fitness Training Center. Some very basic Uses that we would now be permitting in your B-1 District. Also permitted is a basic clarification on Storage Facilities. Your Code had a blanket Storage Use and we kind of broken those down for you in terms of a Self-Storage Facility, Private Storage Facility -which would be more like a contractor, plumber having a shed in the back to keep material and things like that. We separated those out and made it clearer on what all these uses are and how they are intended to be built in the Village. The other major component of these Zoning Amendments is to the PAD District and that is your plan Area Development District. Basically, that zoning was written under a time when a more popular means of multi housing - having a garden apartment, big courts and short buildings, which was not really intended for the area adjacent to Harriman Train Station. What we are trying to do there and the objective of what we were trying in the Village and the overall regional plan for that area has always been to have a Transit-Oriented Community of modern planning, very community oriented, lots of

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pedestrian connections and things like that. So, what we tried to do is try to make that zoning more modern, pedestrian friendly, new urban zone Uses so there is shorter set-backs and taller buildings. We did not change the density when I say taller buildings or units per acre. For the most part we just made some minor tweaks with respect to set backs. We made some other clarifications as well in terms of recreation. I think we had two conflicting numbers for recreation requirements. We are still going to keep that number in there and just make sure it is very clear. We decreased the parking a little bit and kind of reduced the amount of surface parking. We permitted parking under the building, trying to reduce that pavement that the average person would be seeing and put that under the building and make everything a little more aesthetically pleasing. The third section is the Tables, those have minor changes. That is the overview of the changes. We do have a couple of Policy issues through our discussions over the last couple of months. We only make recommendations, so we need input from your Board in terms of Policy issues, which I have outlined in my April 5<sup>th</sup> letter. Probably the first item is percentage of multi-family in a PUD. The current regulation in that PUD District is for a PUD Development in a PAD District is 50% multi family. That is basically to keep the overall Development with a range of housing types. Percentage multi-family, we allow townhouses, single family, two family. Currently that is affecting 50% between multi-family (apartment style) development and other types of developments that would be more occupied generally. There was some suggestion to increase that number. I think that beyond just the character of the area that comes to mind when you think about the multi-family buildings I think there is certainly a typographically and environment considerations on this site. The slopes that we have that resulted on that site kind of lines itself as well to a spread-out development, so I think that is the concern with the multifamily, but at the same time it is completely up to your Board whether you want to consider and increase in that number. The other policies for your consideration are these Uses I spoke about in your B-1 and B-2 District. These new uses that are being considered are something you probably may have not really put a lot of thought or discussion into because you are not hearing the concerns from the Boards. Some things are storage uses, added motorcycles, boats and RV's to the sale of cars, public storage facilities, retail stores with an outdoor product display as such as hot tubs, vehicles, sheds, swing sets and things you would see on a bigger property set back a little bit and those would only be permitted in the B-2 not the B-1 District. The other change is a Tavern, you do not allow eating and drinking places where alcohol beverages are sold in your B-1 and we made that change to still allow eating and drinking places which would be a sit down eating environment still restaurant style with table service, so we have permitted that use now and continued your exclusion of strictly Taverns, which would be more of a bar characterization. Those are kind of the policy issues that I would love some feedback from your Board with respect to. If you have any questions, comments, changes, thoughts please feel free.

The Mayor stated to the Board members, over the next couple of weeks any comments you have so I can get them to her, so we can go from there.

No Public Comments

Leaving Public Hearing opened to the June 12, 2018 meeting and accept written comments up to and including prior to the meeting on June 12, 2018 as we are waiting for the County to get back on the 239 review and Planning Boards review.

**MOTION** was made by Trustee Chichester to keep the Public Hearing opened along with accepting written comments up to and including prior to the June 12, 2018 meeting.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

Mayor stated the only other action being taken tonight is the SEQRA because we will not be voting on it.

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NOTICE OF PUBLIC HEARING – Mayor read:

PLEASE TAKE NOTICE THAT the Village Board of the Village of Harriman will hold a public hearing on proposed Local Law No. 5 of 2018 entitled “A Local Law to Repeal Local Law Number 1 of 2018” **at its new, temporary location at 12 Church Street, Harriman, New York (formerly the Harriman School)** on May 8, 2018 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 2018, which was adopted on January 9, 2018 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 2018/2019 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 2018/2019 that did not exceed the tax levy limit, and therefore, the Village Board wants to repeal Local Law No. 1 of 2018, 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.

Mayor asked have we received any written correspondence?

Ms. Leake replied no.

NO PUBLIC COMMENT

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

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

**REGULAR MEETING**

**ROLL CALL**

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

**ABSENT:** Trustee Borowski

The Mayor asked everyone to stand for the Pledge of Allegiance

**APPROVAL OF MINUTES**

Mayor asked if there were any changes or corrections to the minutes of April 10, 2018 Regular Board Meeting.

**MOTION** was made by Trustee Daly to accept the minutes of April 10, 2018 Regular Board Meeting.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

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**INFORMATIONAL ITEMS:**

This evening's bills were audited:

Trust & Agency	\$	984.00
General Fund	\$	94,768.28
Water Fund	\$	32,191.75

- Upcoming Meeting Dates:  
ZBA – May 16, 2018 and June 6, 2018  
Planning Board – May 21, 2018  
Village Board – June 12, 2018
- Brush Policy – It will be picked up on a weekly basis. Nothing larger than 4” in diameter, not in the street and no more than 100lbs at a time.
- School Supply Drive – continues. We will put something in the paper toward the end of this month the beginning of next month. There are a lot of supplies that have not been used or gently used that there are a lot of people in the community that can use them for the next school year.
- Clean Sweep – was conducted on April 21. It was a very successful event. I would like to thank Trustee Daly and Deputy Mayor Farrell for joining me that day and Superintendent Mulligan, Kenny Gopel and Carl Schaefer from the DPW for their assistance and for Officer Curley who assisted with traffic control. Everything went off very well.
- We have openings on the Planning Board and Zoning Board of Appeals. Anyone interested ask that you send a letter of intent to the Village Clerk.
- Orange County NYS Department of Health they continue to do random testing ever since the issues in Newburgh with the water with the PFOS and PFOA and they have done testing here randomly in the Village and we remain below the 70 parts per million threshold and our water is acceptable for all uses.
- I have attended the Orange County Association of Towns, Villages and Cities which was held in Chester. The new County DPW Superintendent Erik Denega was there and he discussed several items the County DPW is going to do and part of there mission is for environmental issues compost bins at a reduced price which is on their website and I have information here and they also have several places where unused left over medication can be dropped off to be properly disposed of. That information is available here at Village Hall.
- DPW Superintendent and I have met again with Yonkers Contracting regarding their project out on 17 and 32. We again voiced our displeasure on what we see as a lack of safety issues and/or safety awareness and still going back and forth trying to figure out where the road is going and whether it is going to interfere with our water mains and so far, we have seen nothing.
- Received information from Orange & Rockland regarding an alleged scam that is going on regarding meters and meter readings and someone contacting you regarding paying your bills for such that if you send them a certain amount of money they will make up the difference if you are having trouble paying your bill. All that winds up is that someone gets the money, and nothing is paid on your bill, so Orange & Rockland is not in that business and they want to remind people and if you have any questions to call them before getting involved in something like this. The other reminder O & R sends out is that before you dig to call 811 because you could have lines running through your property and you certainly don't want to get involved digging up an electric line or telephone, tv, water or gas so if you are going to do any kind of significant digging in your yard call 811 first and it will be.

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- The Budget which was adopted for 2018/2019 which was provided to the County from the Village apparently some of the previous information that we received was incorrect which changes the rates that would be paid, it does not change the levy. It remains under the 2% tax cap. The correct information on the Monroe side would be a .37% increase or 18.6¢ per thousand so the average homeowner of the Monroe portion of Harriman will go up \$9.31 this year. Woodbury will receive a 5.6% increase, \$1.25 per thousand so it will be an average of \$125.00 increase on the Woodbury side. Again, the difference is due to the State equalization rate which fluctuates. One-year Monroe gets hit and one-year Woodbury gets hit. It goes back and forth and there is absolutely nothing the Village can do about it.
  
- **ADDITIONS**  
13e) Park Request - Wrenn  
15a) DPW Training Requests
  
- Mayor stated for those who have not found out yet Bailey Farm Road has been opened one way toward target. For anyone who is going to decide they are going to try to come back through the one way sign it is at your own risk and a good chance you will get an appointment with court if you do. The same thing at the other end at Melody Lane – Mercedes Way you can get in off Larkin Drive on to Mercedes Way, but you can only really go as far as the Mercedes Dealership. It is marked DO NOT ENTER and already several people have found out the Police are serious about that.
  
- Regarding the new Government Center, I am hoping by the end of this week the bids will be going out. I understand the documents are pretty much completed. Attorney Darwin stated I received the most recent draft today from the Architect. I went through most of them and we should be Wrapping it up tomorrow. They should be ready to go in a day or two.
  
- I would like to thank all the employees and everyone who helped the move to here go smoothly. It was not an easy thing, but it all worked out and we were able to open Monday morning with all the essentials of making the Village operational. So, thanks to all the employees who made that work.

**DEPARTMENT REPORTS**

Treasurer Report – see attached report

DPW – see attached report – water bills \$336,693.00

Police Department – see attached report

Water Account Adjustments – see attached report

Court Reports – see attached reports - March - \$13,503

Village received - \$7,545

Building Department – see attached report

\$ 44,148.00	Building Permits
<u>\$ 100.00</u>	Violation Searches
\$ 44,248.00	Total

**HEARING 2 MAPLE AVENUE CONTINUATION**

Mayor stated we have received a report from the Village Architect regarding several serious concerns with the building. No one present representing 2 Maple Avenue.

**MOTION** was made by Trustee Chichester to enter Executive Session regarding 2 Maple Avenue with the Building Inspector and Attorney Darwin.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

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Mayor stated we would reopen the meeting and asked has anyone for 2 Maple Avenue arrived? No response from anyone present. They have had every opportunity to be here to present any evidence or findings. They were notified at the last meeting that we would be going to an architect for a report and they were also aware that we would be reconvening this hearing tonight. I would ask the Building Inspector if he would give his determination to the Board.

Mr. Hager responded since the last hearing last month the owner of the property did comply with our requirement as the rest of the apartments occupied or not inspected. That was performed on April 13, 2018 and additional violations were found as expected. The personnel that visited the site and gave access for me was made well aware of what those additional violations are. He needed to go back to the owner of the property to work on estimates. The only work that was started and started yesterday to my knowledge was clean up in the yard, but nothing was actually removed from the property. It is bagged up and stacked up and supposedly ready to be trucked away, but it hasn't. The Architect in the mean time met with me and we looked at the building from the exterior and then I did report some of the interior items that I found when I was allowed in the building and used that information as well. His report I am in agreement with that the building in the current condition needs to be removed. Possibly not in entirely depending on whether the better side of the building can be rehabilitated in some sort. The right side that is mostly stone structure is exhibiting a lot of structural defects that would be very difficult to correct and the other structure between what use to be two houses is supported by the structure that needs to be removed so that would have to go as well and that would be a lot of work that would need to be done to bring the remaining part of the building into what is acceptable for Code Compliance and all that. My determination is that the Village should move forward with trying to get an order to remove the building so that we don't have that situation there anymore. There are two out of five apartments occupied right now. I will have to Post the one that is in the area where we just recently received structural defects in writing, so that will get Posted tomorrow. That will leave one apartment occupied. I have been in that apartment and it has minimal standards of smoke detector and CO. Egress is fair, but to have one occupant there out of five doesn't seem to make sense to me unless the owner is willing to step up and get these things corrected. So far, I don't see any evidence of that. That is my determination as to move forward with trying to get a demolition order and I will put the property owner on notice that that is going to happen.

Mayor stated at this time there are no owners or representatives from 2 Maple Avenue here. The Architect, Anderson Design Groups Visual Inspection Report of 2 Maple Avenue lot 103-2-3 dated May 8, 2018 was provided to all Board members and to the owner's agent by email from the Building Inspector and the Village Clerk also has a copy of the report.

**MOTION** was made by Trustee Daly to close the Public Hearing on 2 Maple Avenue.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

**MOTION** was made by Trustee Daly to accept the Building Inspector determination for 2 Maple Avenue

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

Mayor stated it is based upon the Architects and Building Inspectors determinations that there are a lot of unsafe portions of the building and that would make it not really habitable for the most part and will require substantial work. John you will issue the appropriate notice tomorrow regarding the uninhabitable apartment posted and the paper work will be drawn up, so we can mail it to the property owner as per the Code.

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**LOCAL LAW #5**

Mayor stated it is repealing local law #1 tax cap override. We stayed within the mandated tax cap. The Public Hearing was held this evening and there were no public or written comments.

**MOTION** was made by Trustee Chichester to adopt Local Law #5.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

**LOCAL LAW #6**

Mayor stated the Public Hearing was held with no written or public comments. Kristen O'Donnell from Lanc & Tully did give an overview of it. We will keep the Public Hearing open and continue it at the June 12, 2018 meeting. We will accept written comments also up to the beginning of the meeting on June 12<sup>th</sup>. We are waiting for the County to respond on the 239 review and the Village Planning Board to provide any comments.

**MOTION** was made by Trustee Chichester to except the SEQRA determination and determines that there are no significant adverse impacts due to the proposed Zoning Changes and authorize the Mayor to sign.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

**WATER ACCOUNTS REQUESTS**

Account 290

**MOTION** was made by Trustee Farrell to approve the one-time penalty waivers on account 209.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

**LEGAL NOTICES**

Mayor read:

LEGAL NOTICE  
VILLAGE ENFORCEMENT  
TO MARIE COIMBRA  
VILLAGE TREASURER

YOU ARE HEREBY DIRECTED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$1,851,991.79 or the following purpose:

FOR THE CURRENT BUDGET:	\$1,841,447.00
DELINQUENT WATER	\$10,083.75
DELINQUENT MAINTENANCE	\$461.04

YOU ARE FURTHER DIRECTED to receive and collect such sums without additional charge between the 1<sup>st</sup> day of June and 2<sup>nd</sup> day of July: both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five per cenum for the first month or fraction thereof and one per cenum for each month or fraction thereof thereafter until paid.

YOU ARE FURTHER DIRECTED to file the tax roll and warrant in your office on or before the fourteenth of October 2018 and to deliver to the Orange County Commissioner of Finance in Goshen the taxes

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remaining due and unpaid; showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

This will be in the Times Herald Record.

**LEGAL NOTICE**  
**VILLAGE OF HARRIMAN**  
**NOTICE OF COLLECTION**  
**VILLAGE TAXES**

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 filed with the Clerk for the fiscal year June 1, 2018 to May 31, 2019. Taxes will be received at the Village Temporary Office, 12 Church Street, Harriman, New York daily from June 1, 2018 to July 2, 2018 except Saturdays, Sundays and Legal Holidays without penalty.

Beginning July 3, 2018 5% will be added for the month of July and 1% for each month thereafter until paid.

Marie Coimbra  
Village Treasurer

**VILLAGE OF WOODBURY LEAD AGENCY REQUESTS**

Mayor stated regarding the Shops at Woodbury the Woodbury Planning Board is looking for Lead Agency

**MOTION** was made by Trustee Daly to grant Woodbury Planning Board Lead Agency status

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell

Trustee Chichester

Trustee Daly

**NAY:**

NONE

Mayor continued the information put out in the papers states that they are getting water from the Village of Harriman that has not been discussed with the Village of Harriman. There is nothing in the works at this point to provide them with water. The second one from the Village of Woodbury Planning Board is for an expansion to the IBEW on Commerce Drive the building and proposed expansion is on the Woodbury side. Part of that parcel is in the Village of Harriman but not the parcel which they will be building on.

**MOTION** was made by Trustee Chichester to grant Woodbury Planning Board Lead Agency status.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell

Trustee Chichester

Trustee Daly

**NAY:**

NONE

**ORANGE COUNTY MUNICIPAL AGREEMENT**

Mayor stated this is the STOP -DWI funds.

**MOTION** was made by Trustee Farrell to authorize the Mayor to sign OCM Agreement.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell

Trustee Chichester

Trustee Daly

**NAY:**

NONE

**ST. ANASTASIA**

Mayor stated they are proposing a small addition on the Chapel and in the past, we have always waived the Building Permit, Planning Board and Zoning Board of Appeal fees. The only fees they have been responsible for are consultant and publication fees.

**MOTION** was made by Trustee Farrell to approve waiving the fees for St. Anastasia's addition.



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**SECOND** was made by Trustee Chichester

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

**NAY:**  
NONE

**PARK REQUESTS**

Mazewski – April 28, 2018 pre-approved as it came in between Board meetings.

Casales – cancelled prior to approval

**MOTION** was made by Trustee Farrell to return deposit on Park Request.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

Bitterman – June 23, 2018

**MOTION** was made by Trustee Farrell to approve the Park Request.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

Yang - OC Chinese Association Annual Picnic, June 24, 2018 with insurance provided.

**MOTION** was made by Trustee Chichester to approve the Park Request.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

Wrenn – July 28, 2018

**MOTION** was made by Trustee Farrell to approve the Park Request.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

**CHANGE OF TITLE**

Mayor stated Matthew Pascullo has obtained his class 2B water license – effective June 1, 2018 this will change Matt’s title to Water Treatment Plant Operator and his pay will increase as per the Budget to \$26.14 per hour.

**MOTION** was made by Trustee Chichester to approve Matt Pascullo’s pay increase of \$26.14 per hour.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

**SEASONAL DPW EMPLOYEE**

Mayor seasonal DPW worker from May 14 – December 31, 2018 at \$14.00 per hour and the DPW Superintendent would like to put Nicholas Torres in that position again.

**MOTION** was made by Trustee Farrell to approve the seasonal DPW worker Nicholas Torres position.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

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Mayor stated Nick has proven himself very good over the past year plus, he is a welcome addition.

Trustee Daly commented he is a hard worker.

**DPW SUPERINTENDENT REQUESTS**

June 13, 2018 – No Cost – Water Seminar – Kenneth Gopel

**MOTION** was made by Trustee Farrell to approve the Seminar Request.

**SECOND** was made by Trustee Chichester

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

August 8, 2018 – No Cost - HVWW Seminar – Kenneth Gopel and Danny Hedges

**MOTION** was made by Trustee Farrell to approve the Seminar Request.

**SECOND** was made by Trustee Daly

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

September 12, 2018 – Cost \$55.00 AWW Seminar – John Mulligan

**MOTION** was made by Trustee Daly to approve the Seminar Request.

**SECOND** was made by Trustee Chichester

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

November 14, - No Cost – HVWW – John Mulligan and Chris Wendt

**MOTION** was made by Trustee Chichester to approve the Request.

**SECOND** was made by Trustee Daly

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

**NEW GOVERNMENT CENTER - SEQRA**

Mayor stated we had done SEQRA going back but it was suggested by the attorney that we had the new forms filled out. We have the short environmental assessment form for unlisted actions and the short environmental form which does not identify any issues that will occur by the construction of this building.

**MOTION** was made by Trustee Chichester to approve and authorize the Mayor to sign the SEQRA forms.

**SECOND** was made by Trustee Farrell

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

**VILLAGE CLERK TRAINING REQUEST**

Mayor stated Jane had requested going to a workshop at no cost on Records Management, May 3, 2018 10-1pm. Approved by Mayor as we support training and there was no cost to it.

**INDEPENDENCE DAY FIREWORKS**

Mayor stated we received a letter from the Village of Monroe regarding the 2018 Fireworks it will be July 3, 2018 with a rain date of July 6, 2018 we have historically contributed \$2,000 plus assistance with the Police with patrols for it and they are asking if we are interested in contributing more. In our Budget we had discussions on this and we Budgeted \$2,000 as we have in the past. There was no motion to spend over \$2,000

**POLICE CHIEF TRAINING REQUEST**

Mayor stated the Chief is requesting to go to the New York State Police Chief Conference, July 15 – 18 at a cost of \$747 plus mileage and meals. This is a Budgeted item.

**MOTION** was made by Trustee Daly to approve the Chiefs Conference Request.

**SECOND** was made by Trustee Chichester

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

**NAY:**  
NONE

**CONSULTANT FEES**

Mayor stated we have a list of several fees that are past due and some date back to 2008. The newest one is 2012. There are consultant funds there that are unidentifiable and have not been able to be returned so we would be voting on taking \$4,658 and paying off these consultant fees and Lanc & Tully has agreed to waive the balance, so all the fees would be up to date, and the only outstanding fees would be on current projects.

**MOTION** was made by Trustee Chichester to approve the \$4,658 consultant fees be paid out.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

**BUDGET TRANSFERS**

Mayor stated we have a Budget Transfer Request from the Village Treasurer dated May 80, 2018.

**MOTION** was made by Trustee Chichester to approve the Budget Transfers in the May 8 Request.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

**RECORDS RETENTION & DESTRUCTION POLICY AMENDMENTS**

Mayor stated there are some changes to the policy mostly involving Employee confidential information

**MOTION** was made by Trustee Daly to adopt the Records Retention & Destruction Policy changes effective tonight.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

**ATTORNEY REPORT**

Mayor stated with Frontier we have signed the agreement that was approved by the Board and with Verizon there were some changes made and you are still waiting for more.

Attorney Darwin replied I received feedback on our proposed changes and I responded to those and I think we are pretty close, but I'm still waiting to hear back on my comments to their comments. Attorney Darwin replied for the Local Law yes.

**PUBLIC COMMENT**

Kiernan – Chester Resident – we have some interested in land on Commerce Drive. I understand that there are some zoning changes at this time. I don't know if this is the appropriate time to make a request to add in to those changes a use case.

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Mayor replied you could have done it during the Public Hearing tonight, but do you have something written or you want to present?

Kiernan responded I could present but I wasn't sure because this is my first time here. I was here for that, but I didn't speak up at the time. I didn't know that was the right time for it.

Mayor asked do you want to present something and we can take it into consideration?

Kiernan stated generally speaking the idea is for a Recreation and Sports Facility, so we are hoping that we can add into that use of the zoning in that area to allow for that.

Mayor asked are you talking indoor, indoor/outdoor, outdoor?

Kiernan replied at this point most like we will be indoor with a possibility of outdoor depending on the wetlands and all that.

Mayor stated that is something we can look into if you can provide any information to the Building Inspector or myself prior to us having our June 12<sup>th</sup> meeting. It would be helpful in case it is something the Board would like to look into further or consider, but any information you can provide would be helpful.

Mr. Hager commented the Local Law that you guys have already we did incorporate a definition in the use, I believe and that is partially what Mr. Kiernan has expressed an interest in a parcel in the PAD Zone and we knew that this was going to be presented to the Board, so I suggested to add that use and it would be something the Board would consider. So, I guess Kiernan is here to tell you that there is a realistic proposal that they are working on that would fall under that use category.

Mayor stated again if you can provide any information, so the Board has an idea on what type of activities this would encompass it would help us out.

Trustee Chichester asked would this be similar to a Frozen Ropes?

Mr. Kiernan replied yeah.

James Coleman - 4 Maple Avenue commented regarding the previous mentioned on 2 Maple Avenue I would like to add that if there is any legal recourse with the attempt of cleaning up everything, there is multiple debris that has been pushed up against my garage on the western side of that and it has cracked the vinyl siding of that garage. I have taken pictures but obviously I don't have rights to go on to the property to loop the debris, but it is all leaning up on the western wall of by garage.

Mayor asked if you would make a report with the Building Inspector on that?

Mr. Coleman stated I didn't know if it was a Police matter, do I go to them or John?

Mayor responded it wouldn't be a Police matter. If you would start with the Building Inspector so he has the information on it and then he can advise from there. Most likely it would be a civil matter.

Mr. Coleman asked is that in writing?

Mayor replied it should be in writing if you can.

Mr. Mendlovic commented I came a little late.

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Mayor replied you came a lot late.

Mr. Mendlovic stated I know, sorry.

Mayor responded the Building Inspector is going to send you a report.

Mr. Mendlovic replied he just gave me it.

Mayor continued you were aware that we were having our architect look at the building to make a report and he has determined that the right hand side of the building needs to come down and in all probability the middle needs to come down so you will be getting notification of all of this and you then will have 10 days to respond back and anything that you respond back with you would have to have a licensed architect or engineer would have to be providing the information.

Mr. Mendlovic asked in terms of?

Mayor replied in terms of what you are going to do with the building.

Mr. Mendlovic asked this was based on this report?

Mr. Hager replied this report was made available late today.

Mr. Mendlovic asked so based on this report that is what he is talking about?

Mr. Hager replied based on my observations when I met with your representative on that Friday, April 13<sup>th</sup>, which we appreciate you arranging we found some additional violations in some of the spaces I haven't been in to. In the mean time the Architect was able to do his evaluation and finally got his report issued today. I did email that to your representative this afternoon, but I wasn't sure if you would get a hold of it in time for the meeting. So not only what the Mayor mentioned, but also this report indicates some very serious structural issues with one side of the building, which does have the second floor apparently occupied. I will have to post that space uninhabitable, so I will probably go over there tomorrow and do it.

Mr. Mendlovic stated I would say this very simple. This was a report that was done by the Village. I will make my own report.

Mayor responded you had a month to do that too.

Mr. Mendlovic stated I told him I was planning on taking my own and he said we should go with this and then will see. So, if there is something in here I have no problem.

Mayor commented it was made aware at the last meeting that the Hearing would continue tonight.

Mr. Mendlovic replied I told him I was arranging this, and he said there is no need of it because we have somebody. So, if there is an issue I want to have my own person checking it out. Obviously, if the Village is using him or something there is a certain distrust by me the way I see it. I think I should have the right to get my own.

Mayor responded you have a right to and you will be getting a notice and you have 10 days to respond.

Mr. Mendlovic I will tell you more, so you understand where I am coming from. I have been involved in this building for many, many years.

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Mayor replied we heard this at the last meeting and with all do respect you haven't paid taxes, your water bills and you haven't done anything except yesterday starting to clean up some garbage. The car is still stilling out there and it is an eye soar in the Village and it is a hazard. If you want to get an Engineer or Architect to dispute that you have every right to and that is your option to do that.

Mr. Mendlovic replied I think I am going to do that.

Mayor responded and we will accept a report.

Mr. Mendlovic stated going back years ago when I was involved in this property they were mentioning a concern about this thing they are talking about, about the building leaning and I go an Engineer and he checked it out and he said everything was 100% good, so I know that problem and we got an Engineer for it and it is in the report so it is definitely in the type 100 million percent so that is where I am coming from it is not like I just say it is good. We did take an Engineer.

Mayor replied get an Engineer to get a report together and we will take a look at it.

Mr. Mendlovic responded that is all I was saying I just want to have the opportunity. I don't want to throw somebody out that is what I am trying to say.

Mayor stated as far as we are concerned and the Building Inspector the right side of the building is unsafe and it will be posted as such tomorrow.

Mr. Mendlovic responded I am not agreeing with it. You are throwing out my tenant and I am going to lose money of that, that is a problem. All I'm asking is I want to have the chance. I need two weeks and I will get it.

Mayor replied it is our responsibility to make sure the tenant is safe.

Mr. Mendlovic stated I just got the report 5 minutes ago. This is not fair.

Mayor responded you had a month to get someone to look at it. You could have been here for the Hearing tonight and you chose not to.

Mrs. Coleman asked how long does it take now that he has 10 days? What is the crap we are going to hear?

Mayor stated we have to give him 10 days to respond according to the Code once the notice goes out.

**MOTION** was made by Deputy Mayor Farrell to Enter into Executive Session for a litigation item and a couple of Attorney Client Privileges.

**SECOND** was made by Trustee Chichester

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

**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.

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**MOTION** was made by Deputy Mayor Farrell to adjourn Executive Session and return to Regular Meeting.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

**MOTION** was made by Trustee Chichester to adjourn Regular meeting at 9:30pm.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

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