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Public Hearing:

Local Law – The Omnibus Village Code Update of 2015

Please Take Notice that the Village Board of the Village of Harriman will hold a public hearing on a proposed Local 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 Harriman Village Hall, 1 Church Street, Harriman, New York, on November 10, 2015 at 7:15pm or soon thereafter as the matter may be heard.

The purpose of this local law is to update the Village Code previously updated in May 2015, and to correct certain typographical errors and omissions. This local law is entitled the Omnibus Village Code Update of 2015. A copy of the proposed local law is available for inspection at the Village Clerk's Office.

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: October 21, 2015

In the Times Herald Record October 30, 2015

Mayor asked did we receive any correspondence?

Ms. Leake responded no.

Mayor stated there is one person in attendance which is a youth from the Monroe Woodbury High School for his Government class. No other Public in attendance.

There being no public comments a

MOTION was made by Trustee Shuart to close the Public Hearing.

SECOND was made by Trustee Chichester.

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

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**6:45 P.M. – Audit of Monthly Bills
7:15 P.M. – Public Hearing LL# 5 - 2015
7:30 P.M. – REGULAR MEETING**

Regular Meeting:

ROLL CALL

Mayor Stephen Welle, Deputy Mayor Ed Shuart, Jr., Trustee Colleen Farrell, Trustee Borowski, Trustee G. Bruce Chichester, Village Clerk Jane Leake, Police Chief Dan Henderson & DPW Superintendent John Mulligan, Town of Monroe Councilman Elect Mike McGinn & Tony Cardone

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

Councilman Elect McGinn stated I would like to thank you very much for endorsing us. You were the only Village Board that did that, it meant a lot to Tony and I. I think it sent a good statement to the rest of the people in the Town and we really look forward to working with both Villages. We know it has been broken for a long time and we know we have our work cut out for us. We will be sitting down and talking with people and the Mayor to come up with a list of what needs to be done. It is time for a change and we are going to bring that change about. Thank you for our confidence in us and we will prove ourselves worthy.

Councilman Elect Cardone stated I am going to echo the same sentiment as Mike did and as Mike just said it is nice to come to a Town Board Meeting and not have to worry. We do appreciate all of your support. It was heartening and humbling to get the support. I found out by reading the Photo News.

Mayor Welle replied the Board was looking forward to it and we were hoping we would get some change and you would both get in. The Board decided as a whole to make the endorsement, because we know things need to be changed up there. Thank you for being willing to run for the Office.

Trustee Chichester stated Good Luck you have your work cut out for you.

Councilman Elect McGinn replied yes we do, but we have a lot of support behind us. I know we will be able to turn things around for the better.

The Mayor stated just for the record Dave Darwin, Ostrer & Associates is present

APPROVAL OF MINUTES

Mayor Welle asked if there were any changes or additions to the minutes 10/13/15 Board Meeting. There being none, the minutes were accepted as written.

MOTION was made by Trustee Chichester to accept the Village Board Minutes of 10/13/2015.

SECOND was made by Trustee Farrell.

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

INFORMATIONAL ITEMS:

- Bills were audited:
2015/2016
\$ 66,134.62 General Fund
\$ 70,633.09 Water Fund
\$ 3,070.83 Trust & Agency

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- Upcoming Meeting Dates:
 - o ZONING BOARD OF APPEALS MEETING: December 2, 2015
 - o PLANNING BOARD MEETING: November 16, 2015 & December 21, 2015
 - o VILLAGE BOARD MEETING: December 8, 2015

- Meetings continue regarding the KJ Annexation. Last week Judge Connelly issued a stay on the Annexation, which regardless of yesterday's vote held in KJ for the property owners of the 164 acres, that the property will stay as Town of Monroe property under the Town of Monroe's Zoning until such time as the litigation is concluded. I'm sure within the next week or so the Village of KJ will file a local law bringing that property into the Village of KJ, but until the litigation ends or the Judge changes her mind the property stays in the Town of Monroe with the Town of Monroe Zoning.

- The DPW Superintendent attended the County Hazard Mitigation Meetings and we continue to work on that.

- Brush Policy – we should be getting back to Monday's now that the water main project is winding down. We ask that you put the butt end sticking out.

- Leaves – we ask that you do not put them in the Street because they wind up in the storm drain. Put them at the edge of your property on your property and they will be picked up as soon as we can get to them. Don't put them in bags, leave them loose and don't mix the brush in with them.

- I attended the Orange County 2015 Red Ribbon Kick-Off Ceremony that was held up at the Pine Tree School and there were a lot of good speakers there for the kids and the kids really enjoyed it.

- Operation Reassurance started by the Police Department for Senior Citizens and Persons with Disabilities. If anybody knows of anyone that can use this assistant please put them in contact with the Village Hall to get an application or with the Police Department.

- Hurricane Irene was over three years ago and we have finally received the rest of the FEMA allocations from the State of New York. In the last week and a half we received checks in the amount of \$5,228.94 and this closes out the reimbursement.

Trustee Chichester stated the public has not seen the work the Mayor has put into securing that check.

- October 13th Meeting there is a corrected amount for the Water Account bills that were audited in the amount of \$160,722.78.

- Parking restrictions are in effect November 1st – April 1st from 11pm – 6am. There is no parking on the street. Also, during any snow event once it amounts to about 2" there is no parking on any street until such time that the roads are clear regardless of the time of day. We ask that everyone cooperate with that so the roads can be cleared.

- There are two additions this evening: Item 12 a) Park Request and 12 b) Water Agreement with Melody Lane Properties that we just received.

Regarding the Cabela's Water Agreement – Cabela's has changed their mind they are not going to build. They are looking to sell the property. They are looking to get an Amendment to the Water Agreement which we will discuss with the attorney during Executive Session this evening.

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- We need to get advice on what they are requesting. Once a decision is made or arrangement is met we will announce it.
- The water main project from the North Main Street Well to the Mary Harriman Wells the placing of the pipe has been completed and today it was all tested and there are no leaks. The guys did a very good job. We did it in-house and it came out very well. Now there is just disinfection and testing to be done. Hopefully sometime next week we will be able to put it in service.
John, thank you and the guys for a job well done.

DEPARTMENT REPORTS:

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report. \$45.00 in Funds

Water Account Adjustments – see attached report

Building Department – see attached report

\$ 165.00	Building Permits
\$ 25.00	Certificate of Compliance
\$ 200.00	Violation Search
\$ 25.00	Sign Permit

DPW – Water Bills went out in the amount of \$345,395.00, with the delinquents there was \$433,947.67 owed.

LOCAL LAW #5 – 2015

The Public Hearing was held this evening there weren't written comments and at the time there were no verbal comments. Mr. Hagopian walked in right after we closed it and I told him I would allow him to bring up his issue this evening before the Board voted on it.

Mr. Hagopian stated Section 14 it talks about light processing and manufacturing added to it – is that just language added to it, it is not changing any Zoning?

Mayor Welle replied no, it is not changing any Zoning. This came up going back with the ZBA and they had requested that the definition be put in. The way I would believe it would be related to the B-2 Zone. It is just a definition to clarify it.

MOTION was made by Trustee Shuart to adopt Local Law #5 - 2015.

SECOND was made by Trustee Farrell.

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

WATER REQUEST ACCOUNTS

Account 6210 – new owners – late fees waived

MOTION was made by Trustee Chichester to waive penalties for a first time as a one-time waiver.

SECOND was made by Trustee Farrell.

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

Account 5432 – late fees waived

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MOTION was made by Trustee Shuart to waive penalties for a first time as a one-time waiver.

SECOND was made by Trustee Chichester.

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

Account 7065 – extra water meter charged waived requested by Village Clerk

MOTION was made by Trustee Chichester to waive the extra water meter charge.

SECOND was made by Trustee Farrell.

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

SURPLUS EQUIPMENT DPW

We have a dump truck that the tires that were on it were not meant to be on a truck plowing snow. The tires have 5,000 miles on it. The DPW Superintendent is requesting that we declare them surplus and put them out to bid on Auction International. 6 Continental Tires HSR225/70R 19.5 load range G.

MOTION was made by Trustee Chichester to approve the surplus tires go out to bid on Auction International with a closing date of December 7th.

SECOND was made by Trustee Shuart.

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

The Mayor stated it would be awarded at the December 8th Board Meeting.

ORANGE & ROCKLAND GREEN TEAM

They did an **Energy Audit for Lightening** and came up with some Village Hall, Police Station and DPW which could be replaced and the total cost would be \$518.64. The paid back period would be approximately 10 1/2 months and we can pay the \$518.64 over a year.

MOTION was made by Trustee Shuart to approve the Energy Audit

SECOND was made by Trustee Chichester

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

INTERMUNICIPAL AGREEMENT – BUILDING INSPECTOR

The Board approved this last month. We have an agreement from the Village of Monroe, without a dollar agreement as of yet. They are doing Inspections for us on an as needed basis while we go through the process of finding a new Building Inspector.

VILLAGE TAXES

MONROE - \$41,879.07

WOODBURY - \$49,489.29

They will be sent to the County to be levied on to their County tax bills.

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MOTION was made by Trustee Shuart to approve Village Taxes to be re-levied on to the County taxes.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

DEDICATION VILLAGE ROADS

We have one road and two half roads. The Town of Monroe never filed the paperwork.

Conklin Lane – Section 104-1-4.4

Kensington Way – Section 105-2-53 (Monroe Portion)

Oxford Lane – Section 105-2-54 (Monroe Portion)

MOTION was made by Trustee Chichester to approve Conklin Lane, Kensington Way & Oxford Lane Monroe Portions into the Village.

SECOND was made by Trustee Borowski

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

The County wanted money for them and our answer was no and if you want money you can come maintain them.

DPW SAFETY TRAINING

I have been advised by the DPW Superintendent that the Safety Training is outdated and needs to be addressed immediately. We have used Capital Safety Services in the past and they have put together a program for us, where they will do the training and help us with the policies we need to have in place. In an amount not to exceed \$3600.00

MOTION was made by Trustee Shuart to approve DPW Safety Training & Policies not to exceed \$3600.00.

SECOND was made by Trustee Borowski.

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

PARK REQUEST

Wilson – November 28, 2015 – 2-4pm

MOTION was made by Trustee Shuart to approve Wilson Park Request for November 28, 2015, 2-4pm.

SECOND was made by Trustee Farrell

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

MELODY LANE PROPERTIES, LLC

This is the Mercedes Dealership that is looking to go in on Melody Lane behind the TJMaxx Building. We have the signed water and easement agreements, which include a \$150,000 Capital Contribution to the Water Fund.

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MOTION was made by Trustee Chichester to accept Melody Lane Properties, LLC water and easement agreements.

SECOND was made by Trustee Shuart

AYE: Trustee Chichester **NAY:** -0-
Trustee Farrell
Trustee Shuart
Trustee Borowski

ATTORNEY REPORT

The Mayor asked did we get any further with Superior Pack?

Attorney Darwin replied I sent you a draft of the agreement and I thought you were going to take a look at it and get back to me and let me know if it was good to go.

The Mayor responded I will have to take a look at it again. I thought we had some conversation on it.

Attorney Darwin stated they had sent me a draft and I had re-wrote one of the two documents in its entirety and then I sent them to you.

The Mayor responded I do have them here. I didn't know if we got any further. I will review it again and get back to you. We did approve an agreement going back this is a modification to it. There were things that need to be worked out afterward that came to light.

We have to discuss the Cabela issue in Executive Session. Is there anything else you have to report on tonight?

Attorney Darwin replied nothing I can think of off-hand.

PUBLIC COMMENT

Mr. Hagopian asked the Mercedes property they are purchasing. I looked at it a few years ago and I believe there is a Well on there. What is happening with that?

Mayor replied there is a Well behind it.

Mr. Hagopian asked it is not part of the property?

Mayor replied to my knowledge we do not have any Well on that property. That property is in Woodbury and the Well that is back there is not on that property. It is separate.

Mr. Hagopian stated I was told there was a Well on it when I was looking at it.

Mayor replied I am not aware of any Well on there.

Mr. Hagopian replied okay.

Mayor stated any of the plans that I saw didn't show one on there. If there was they capped it or whatever.

Mr. Hagopian asked they have to abandon it?

Mayor Welle replied yes, they have to abandon. Once they are in our water service area they couldn't use it even if they wanted to.

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MOTION was made by Chichester to enter into Executive Session for a Litigation, Personnel Issue for the Building Department and one Attorney Client Privilege.

SECOND was made by Trustee Borowski.

ALL IN FAVOR.

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

Executive Session with David Darwin, Esq..

MOTION was made by Farrell to adjourn Executive Session and return to Regular Session.

SECOND was made by Trustee Chichester.

ALL IN FAVOR.

A **MOTION** was made by Trustee Shuart and **SECONDED** by Trustee Borowski to adjourn the meeting at 8:50 p.m.

ALL IN FAVOR.

Respectfully submitted by: _____
Jane Leake, Village Clerk