

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
November 14, 2017
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7:00pm – Audit Bills

7:30pm – REGULAR MEETING

ROLL CALL

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

ABSENT NONE

The Mayor asked everyone to stand for the Pledge of Allegiance

APPROVAL OF MINUTES

Mayor Welle asked if there were any changes or corrections to the minutes of October 10, 2017 Regular Board Meeting with correction on Motion.

MOTION was made by Trustee Chichester to accept the minutes of October 10, 2017 Regular Board Meeting.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

Trustee Borowski

NAY:

NONE

INFORMATIONAL ITEMS:

This evening's bills were audited:

Trust & Agency	\$ 984.00
General Fund	\$ 500,165.12
Water Fund	\$ 282,031.44

The General Fund – about \$293,000 of that was the new street sweeper of which we will be getting \$250,000 back on a grant.

- Upcoming Meeting Dates:
ZBA – December 6th
Planning Board – November 20th and December 18th
Next Village Board – December 12th
- Thanksgiving week the Garbage Schedule:
Monroe Side – No pick up on November 23rd – it will be the following day, November 24th.
Woodbury Side – no pick up on November 24th – it will be the following day, November 25th.
- Leaf pick-up continues – at the edge of your property not in the road and loose not bagged.
- Brush Pick-up once a week – brush should be on your property not in the road and the butt end out.
- No overnight street parking in the Village from 11pm – 6am and anytime there is a snow event with 2” or more there will be NO PARKING at all on the streets until such snow has been removed.
- ADDITIONS:
6a) Delinquent Taxes
6b) Family Leave Act

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- The Village is doing a hats and gloves collection for the less fortunate in the Community. We will be collecting until December 8th.
- School Supply drive continues – one of the Girl Scouts, Madeline Bacsardi had taken it on as a project when we did the school supply drive this past summer and she had placed the box in one of the schools and now brought it in here so we can have it all year long for anyone who brings supplies in.
- At the last meeting the Board Approved a transfer of a Police Officer Peter DiRicco at the last minute he withdrew his request to come here so we are requesting the list of eligible.
- Monroe Joint Fire District Election will be held on December 12th from 3pm – 9pm at the substation 406 North Main Street, Monroe. To the best of my understanding the only thing on the Election this year is one Commissioner.
- After the last Board Meeting I received a request from a Perez to use the Park on October 25th for a trunk or treat. I contacted the Board and everything went off well.
- Plans for the new building are coming along and are hoping by the December meeting to have updated plans and a rendering of the building to be able to share with the public.

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 - Water Bills - \$375,486.09

Court Reports – see attached reports -	September \$16,428	Village Received \$10,427
	October \$14,699	Village received \$9,615

Building Department – see attached report

\$ 495.00	Building Permits
\$ 75.00	Demolition Permit
\$ 400.00	Violation Searches
<u>\$ 50.00</u>	Building Permit Extension
\$ 1,020.00	Total

Mr. Hager said there is one correction total of inspections performed should be 42 not 26

WATER ACCOUNT REQUESTS

Accounts 335, 336, 337 & 338

MOTION was made by Trustee Farrell to approve a one-time waiver on the penalties for accounts 335, 336, 337 & 338.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Account 171

MOTION was made by Trustee Chichester to approve a one-time waiver on the penalty for account 171.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

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Account 220

MOTION was made by Trustee Daly to approve a one-time waiver on the penalty for account 220.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Account 224

MOTION was made by Trustee Chichester to approve a one-time waiver on the penalty for account 224.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

Account 798

MOTION was made by Trustee Farrell to approve a one-time waiver on the out of hour's restoration fees for account 798.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

HIGHWAY EXEMPTIONS 3&4

The Mayor stated as we have done for several years requesting that the Town of Monroe exempt the Village of Harriman property owners from highway items 3&4. Service they do not perform but by state law they are allowed to charge Village residents.

MOTION was made by Trustee Chichester to approve signing the petition on Highway Exemptions 3&4.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

DELINQUENT TAXES

The Mayor stated on the Monroe side there is \$24,611.42 and on the Woodbury side there is \$45,158.48 for a total of \$69,769.90 authorizing this to be sent to the County for relieving on the Town and County tax bill.

MOTION was made by Trustee Daly to authorize the delinquent taxed to be sent to the County for relieving on the Town and County tax bill.

SECOND was made by Trustee Borowski

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

FAMILY LEAVE ACT

The Mayor stated the Family Leave Act which takes effect January 1st that Municipalities are exempt from but need to adopt the motion to opt out of it prior to December 1st.

MOTION was made by Trustee Chichester to opt out of the Family Leave Act.

SECOND was made by Trustee Borowski

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AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

ATTORNEY REPORT

Attorney Darwin stated I spoke with Jay Myro about Village View Estates they were asking the Village to create a drainage district and they made a presentation before the Board a few months ago. He is prepared to go before the Planning Board and then probably ask to be put on the Villages' agenda for the next meeting. As we discussed a while ago the Village has the authority to create a drainage district and access the properties within that district. The question I am going to be looking at is what the procedure would be for the applicant to come before the Board. There is no corollary provision of the Village law for a petition as there is under Town law so it doesn't mean they couldn't petition but petitioning may not be the best approach. I think as long as all the information that the Board needs to have in order to evaluate and assess and put it together the way it is presented isn't as important as the substance of what is presented. I will talk with him about the best approach is in making the presentation.

On the parcel 103-3-4 that the Village wants to sell the parcel by subdividing there are some judgements that I am working on getting those taken care of. There is one outstanding judgement that we couldn't find the judgement creditor. Finally I did get in touch with Marilyn Berson who is the Attorney for the judgement creditor she remembered the matter. She is trying to get in touch with that individual and convey out request regarding that judgement. As soon as she hears back she will get in touch with me.

Mayor I sent you the draft on the Frontier Franchise Agreement that I have made changes to which should go into Executive Session because it involved contract negotiations.

Mayor asked did you ever get a hold of Mike Donnelly regard Bailey Farm Road?

Attorney Darwin replied Donnelly tells me that he doesn't think that it is a Planning Board matter. He thinks it is a Town matter.

The Mayor stated it is the Planning Board that is pushing over there.

Attorney Darwin replied I will follow up with him and see if I can get that straightened out.

I did get in touch with George Lithco and asked him if he would be will to come with his client to a meeting and he said if you send me the information we may be able to agree to whatever you are asking without coming to a meeting. I mentioned it had to do with that sliver of land that we need an easement. He is willing to do whatever is necessary to get that resolved one way or another.

The Mayor stated we will need to discuss with you a couple of matters in Chapter 74 of the Code Book regarding water billing concerns that we need to update and change some language. We would need to set a Public Hearing for December 12th 7:25pm.

MOTION was made by Trustee Chichester to approve scheduling a Public Hearing for December 12 at 7:25pm.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly
Trustee Borowski

NAY:
NONE

PUBLIC COMMENT

Fred Rumler, 26 South Main Street

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Mr. Rumler stated I had an issue with my water bill also. I had sent an email to Harriman DPW and did not get a response. I was under the impression that I needed to be here also. Can I raise that issue?

Mayor replied you certainly can.

Mr. Rumler continued stating my water ended up being terminated on July 13, 2017, 43 days delinquent. I acknowledge that did receive my original bill but it went to the bottom of the mail pile and did not receive another notice whatsoever in regards to late payment. I have the letter that was redirected and sent to my home the 16th of July; three days after my water had been turned off. I was charged the late fees and I had called 3:30 on that day and I was informed by Jane that the crews had gone home and it would be \$200.00 to send someone out and \$50.00 for the termination fee and \$50.00 for the restoration. It was a shock to me but I had to turn the water back on. I have a tenant there now who needs water before the following day so I had no chose, but to turn the water back on. It is on the website 45 days delinquent before you are subject to termination. I just found the fees to be exorbitant and it was 3:30 in the afternoon and understand crews go home but maybe a note to be served to the door. I acknowledge again that the original bill I misplaced. I was charged \$506.00.

Mayor asked you paid that money.

Mr. Rumler replied yes.

Mayor stated if you can do us a favor and briefly put it in writing and send it in or email it to the Village Hall not that email address.

Mr. Rumler replied I will just re-forward that email.

Mayor stated and the Board will address it at the next meeting once we have a chance to look at everything and your billing history.

Mr. Rumler asked do I have to be in attendance?

Mayor replied no you do not have to be here. You will be notified. You could have put this one in writing and we would have addressed it. You didn't know it and that is fine. I see there is a yellow sticker on the envelope so was the address wrong on the letter?

Mr. Rumler replied it is actually my name and I have corrected it twice with the Post Office. My last name is misspelled. This wasn't sent initially until July 7th anyway which is only 6 days before. It is a really short term.

Mayor stated if you would just put it in writing and we will address it at the next Board Meeting.

Mr. Rumler replied thank you sir.

MOTION was made by Trustee Chichester to enter into Executive Session with David Darwin, Esq. and DPW Superintendent, John Mulligan for litigation, Attorney Client Privilege, Contractual, DPW Contract.

SECOND was made by Trustee Farrell

ALL IN FAVOR

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

The following was given by Mayor Welle:

Executive Session with DPW Superintendent, John Mulligan and Dave Darwin, Esq.

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

SECOND was made by Trustee Borowski

ALL IN FAVOR

MOTION was made by Trustee Chichester to approve the quote from All-Safe in the amount of \$4,881.89 for a new alarm system at the DPW Building and \$34.95 per month for monitoring billed yearly.

SECOND was made by Trustee Daly

ALL IN FAVOR

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

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk