

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
October 18, 2016
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**6:30pm – Executive Session – Personnel
6:45pm – Audit Bills
7:15pm – Public Hearing – Local Law #4
7:30pm – REGULAR MEETING**

The following was given by Mayor Welle:

Executive Session - Personnel

Present: Deputy Mayor Farrell, Trustees Chichester and Daly, Mayor Welle, Judges Wienberg and Drian.

6:30pm

MOTION was made by Deputy Mayor Farrell to enter Executive Session for a personnel issue.

SECOND was made by Trustee Chichester.

ALL IN FAVOR

Discussion regarding part-time Court Clerk

Trustee Borowski arrived 6:48pm.

MOTION was made by Trustee Chichester to end Executive Session at 6:50pm.

SECOND was made by Trustee Daly.

ALL IN FAVOR

Respectfully submitted by: _____
Jane Leake, Village Clerk

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Public Hearing:

The Mayor read the Notice of Public Hearing

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 4 of 2016 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 October 18 at 7:15 p.m. or as soon thereafter as the matter may be heard.

The purpose of this local law is to update the Village code previously updated in October 2015, and to correct typographical errors and omissions. This Local Law will amend portions of Chapters 74 (Fees) and 78 (Fire Prevention and Building Construction), and Sections 140-7, (District Regulations, Attachment 1, swimming pools), 140-32 (accessory parking) and 136-6 (C) and (H) (fire hydrants) and Section 136-4-E (discontinuance of water service), and Chapter A-146 (Subdivision Regulations). The local law is entitled the Omnibus Village Code Update of 2016. A copy of the proposed local law is available for inspection at the Village Clerk's office located at One 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.

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

Dated: October 7, 2016

The Mayor asked did we receive any written correspondence?

Clerk replied no.

No comments.

Motion to close the Public Hearing was made by Trustee Chichester.
SECOND was made by Trustee Farrell.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

Respectfully submitted by: _____
Jane Leake, Village Clerk

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Regular Meeting:

ROLL CALL

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

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

APPROVAL OF MINUTES

Mayor Welle asked if there were any changes or additions to the minute of September 13, 2016.

Trustee Farrell replied yes, Sandra Daly needs to be added to the roll call.

MOTION was made by Trustee Farrell to accept the minutes of September 13, 2016 Village Board Meeting with the noted correction.

SECOND was made by Trustee Chichester.

AYE: Trustee Farrell	NAY:
Trustee Chichester	NONE
Trustee Borowski	
Trustee Daly	

INFORMATIONAL ITEMS:

- This evenings bills were audited:

Trust & Agency	\$ 1,022.96
General Fund	\$155,321.20
Water Fund	\$ 44,700.79
- Upcoming Meeting Dates:
Zoning Board of Appeals Meeting – November 2nd
Planning Board – November 21st
Village Board – November 15th
- The Town of Monroe composting facility is accepting bagged leaves and brush starting November 16th and it will be opened Wednesday's and Saturday's from 9-2pm through December 10th.
- We mailed out the Violation Notice as was stated at the last meeting and we are working toward eliminating the issue. The violations are being issued because of the running average and it is getting close to where it will be under the average number. We are also doing additional work to insure we don't run into this problem again.
- Everyone is aware that the Village of Kiryas Joel has filed to become the Town of North Monroe with an additional 380+ acres. I discussed it with Village Board members individually and sent a letter to all County Legislatures with a copy to the County Executive requesting that they vote against this. If they want to become their own Town as they are today, nobody has an issue with it, but due to the high density developing that they do and the sustainability of it in this area we are against it. I know Legislative DiSalvo is here this evening and we are encouraging you to talk to your fellow Legislatures and encouraging them to vote against this.

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Attorney Dave Darwin arrived.

Legislature DiSalvo stated I received a letter from the Mayor and Village Board. I live in Highland Falls, but this is an issue on what is going on in Monroe. It is an issue for this whole part of the County and it even affects other parts of the County. Every Legislature understands what is going on which is important. I think years ago it was just a few Legislatures that would talk about it, but now all 21 are. My opinion is a little late now. We should have had our heels dug in twenty years ago. It is an issue I have spoken with the Mayor and I am willing to speak with residents or any elected official in Harriman. Right now what is going on is the overall process. A petition was submitted, signatures were spot checked for authenticity. Everything seemed to be in order and there is a process. That particular community knows it is a process. They also know that it has never happened in the time that I'm aware of or any member of the County is aware of. So it is new and they understand that and we have to go through the process as best as possible. There is not a lot of case law regarding it so legal is doing the best job they can, but it is going to be a contentious issue. I couldn't tell you right now which way it is going. Only from my caucus I can tell you it is probably not something you will see a lot of folks probably support. I can't say that officially. That is unofficial.

Trustee Chichester commented your fellow Legislatures have been more involved than ever over the last few years with that Harriman Sewer Treatment Plant. Are they aware that this is not a disconnect and that one is going to greatly affect the other and probably won't be able to sustain this. Are they aware of that? Do they put these two items together? Because some of them live on the other side of the County and they don't realize.

Legislature DiSalvo replied I started on the Village Board so water and sewer was something that was your main stuff. For me when I met the Mayor and went to the Plant to see how it works down here and what the Plant covers. Utilities are the main concern and I think the only way you can combat any type of large growth in this area. The Mayor was at a presentation regarding different sewer suggestions or ideas and utilities for water and sewer down in this area is the only thing that we can deal with to combat any type of large growth. All the Legislatures, especially in this area and as more and more Legislatures come on board get to understand that there are issues down here.

Trustee Chichester responded that Plant is an interesting Plant to look at. Who is paying for it and why should the resident of the Village of Harriman pay for growth that they are not going to have? That is absolutely wrong.

Legislature DiSalvo replied I totally agree with it. Nothing else has moved forward since that meeting. I think it was an information gathering. There were funds spent out of the District Surplus. I got that information from the Mayor. I can't deny that. I think it did need to be done, but I don't think it is a plan that is very practical, the plan that we saw. It is an ongoing process and an issue with the plant so we need to continue to upgrade the plant. There needs to be millions of dollars in upgrades and we do millions of dollars in upgrades and there's always going to be a governance issue in this area with the Sewer District. That was here before me and it is still occurring.

Trustee Chichester stated as I originally stated one has to do with the other. You put all the additional sewerage that is going to come from that in there.

Legislature DiSalvo replied it can't handle it. Let's say tomorrow the plan was a stamp and we move forward with the plan that we saw a few weeks ago. All those people that come on will have to pay because they will be new users. So obviously I would never be in favor of Harriman paying for infrastructure improvements that have nothing to do with the area. Anybody who would go on the plan that we saw, which was involving Goshen, everybody would have to pay. You wouldn't be able to tap this area. It would be illegal for the District.

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- On October 30th and 31st in Section 92-3 of the Village Code there is a curfew from 8pm – 6am ending November 1st at 6am for any minors not allowed to be rooming the Village by themselves.
- Work has commenced in Mary Harriman Park on the playground. There was another piece of equipment that was found to be in unsafe condition and that has been removed. Most of the new equipment has arrived and as time permits the DPW will be working on it. Between now and the Spring that should be ready for safe activities once again.

Trustee Borowski stated I would like to acknowledge the work that has been done by you and your team so far in the park and what is going to be completed as planned which is a wonderful thing for the residents. I'm excited for it and I know the residents are as well and so far your team has done an amazing job.

Mr. Mulligan replied thank you and I will let the guys know.

- Regarding garbage pick-up Woodbury's side of the Village – there will be no collection Friday, November 11th or November 25th. It will be picked up Saturday, November 12th and November 26th. On the Monroe side of the Village there will be no garbage collection on Thursday, November 24th, it will be picked up on Friday, November 25th.
- A few additions tonight:
Item 9a) DPW Surplus Equipment
Item 14a) Water Account 3000
Item 14b) Water Account 1400
Item 6a) Park Request – Marcantonio
- We do have openings on the Planning Board and Zoning Board of Appeals. If anyone is interested please contact the Village Hall.
- Village Code Section 132-15 is regarding overnight parking. From November 1st through April 1st there is no overnight on street parking from 11pm – 6am and anytime it is snowing there is no parking on the streets until such time snow removal operations are complete.

Chief Henderson stated we will put notices on vehicles before it goes into effect so everyone is aware.

The Mayor stated warning to advise them. Thank you Chief.

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

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

Water Account Adjustments – see attached report

Court Reports – see attached reports

Building Department – see attached report

\$ 382.00	Building Permits
\$ 75.00	Certificate of Compliance
<u>\$ 700.00</u>	Violation Searches
\$ 1,157.00	Total

LOCAL LAW #4

The mayor stated there were no comments or written comments received.

MOTION was made by Trustee Borowski to adopted Local Law #4.

SECOND was made by Trustee Chichester.

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AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

PARK REQUESTS

The Mayor stated Klinger was for this past Sunday which had been approved, as we have done in the past.

Marcantonio – October 22th – 12-6pm

MOTION was made by Trustee Farrell to approve Marcantonio park request for October 22nd.

SECOND was made by Trustee Daly.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

DPW SURPLUS ITEM BID AWARD

The Mayor stated Item #5 we originally had approved at the last meeting which was two 6” Mueller Valves that was put on in error, so they were not put up for auction.

MOTION was made by Trustee Chichester to remove the two 6” Mueller Valves from the surplus list.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

The Mayor continued stating the bidding closed last night at 6pm or shortly thereafter.

Salt Spreader - \$1500.00

Chemical Tank - \$10.00

10” Mueller Valves - \$220.00

Clow Valve - \$130.00

Dresser Couplings - \$57.50

MOTION was made by Trustee Daly to accept the bids.

SECOND was made by Trustee Chichester.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

The Mayor stated the DPW Superintendent is in favor of accepting the bids.

PITLESS BOOSTER –

The Mayor stated this is the pump that will pump the water from the lower pressure into the high pressure to assure that the levels are within compliance of the Health Department. We received one bid on this items for \$37,620.00 and there is only one company that manufacturers it, D&S Pump and Supply Co.

MOTION was made by Trustee Chichester to accept the pitless booster bid award to D&S Pump & Supply Co.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

SURPLUS VEHICLE

The Mayor stated the Police Chief is requesting we declare a 2011 Ford Crown Victoria surplus and put out to bid with a closing date of November 14th.

MOTION was made by Trustee Chichester to declare the vehicle surplus and to put it out for bid with a closing date of November 14th.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

The Mayor stated this car has developed transmission issues and it has 80,000 miles on it.

DPW REQUEST

The Mayor stated the DPW Superintendent is requesting to put a one way Viking 11' plow out for surplus with a closing date of November 14th.

MOTION was made by Trustee Chichester to declare the Viking 11' plow surplus and to put it out for bid with an ending date of November 14th.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

CHIEF REQUEST

The Mayor stated the Police Chief is requesting that we purchase a 2017 Ford Utility Police Vehicle in the amount of \$36,714. We would have to authorize this to come out of the Police Capital Account which will be published in the paper subject to permissive referendum. It is \$210.00 higher than the last one because the extended warranty went up, which was 6 years 75,000 miles. The cost on the other one the warranty had already gone up, but they did not charge us for it because it took them longer to get the car then it should have.

MOTION was made by Trustee Chichester to approve the purchase of a 2017 Ford Explorer Police Package with the extended warranty and to authorize the money to be taken from the Police Capital Account.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

DELINQUENT WATER ACCOUNTS

The Mayor stated letters have been sent therefore shut offs will be Thursday, October 20th for outstanding water accounts.

MOTION was made by Trustee Chichester to approve water account shut offs for Thursday, October 20th.

SECOND was made by Trustee Borowski.

AYE: Trustee Farrell
Trustee Chichester
Trustee Borowski
Trustee Daly

NAY:
NONE

GRANT AUTHORIZATIONS

The Mayor stated we need Board authorization for the Mayor to sign all necessary paperwork relating to the SAM Grant # 6947 which was the 75,000 grant for DPW equipment.

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MOTION was made by Trustee Farrell to approve the Mayor to sign all necessary paperwork for the SAM Grant #6947.

SECOND was made by Trustee Chichester.

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

The Mayor continued we need to also authorize the Mayor to sign all the paperwork relating to the SAM Grant #7538 for 250,000 for the street sweeper.

MOTION was made by Trustee Farrell to authorize the Mayor to sign all the paperwork relating to the SAM Grant #7538.

SECOND was made by Trustee Daly.

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

VILLAGE HALL PARK

The Mayor stated there has been a discussion amongst the Board Members in regards to doing something in honor of the late Deputy Mayor, Edward Shuart. What has come up is the possibility of renaming the Village Hall Park. It has never been officially named. It was noted as Village Hall Park. In order to move forward in doing anything and getting plans set up we would need Board authorization to do so.

MOTION was made by Trustee Farrell to authorize the Village Board to work on renaming the Village Hall Park.

SECOND was made by Trustee Chichester.

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

WATER ACCOUNT REQUESTS

Account 2085

The Mayor stated this was their first water bill they had just moved in and they did not receive it. They received the final notice not the bill.

MOTION was made by Trustee Chichester to approve penalty credits to account 2085.

SECOND was made by Trustee Farrell.

AYE: Trustee Farrell

Trustee Chichester

Trustee Borowski

Trustee Daly

NAY:

NONE

Account 3000

The Mayor stated they never receive their mail, but in the last ten quarters they have been late three times.

NO MOTION

Account 1400

The Mayor stated this is the second quarter in a row they have been late.

NO MOTION

ATTORNEY REPORT

Attorney Darwin stated I do not have anything specific.

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The Mayor stated Judge Walsh issued a decision on the annexation litigation, which will have to discuss in Executive Session to see where we are going.

Attorney Darwin responded the condition was dismissed and Judge Walsh rejected all of the claims that were asserted in the petition. A particular significance is the Judge's decision outstanding and she found that Harriman among other municipalities lack standing so that is certainly something we will need to talk about.

PUBLIC COMMENT

No comments.

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

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 Attorney Darwin

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

SECOND was made by Deputy Mayor Farrell.

ALL IN FAVOR

MOTION was made by Trustee Chichester to advise part-time Court Clerk Linda Nematz that effective October 11, 2016 she should not report to work but she will continue to receive 15 hours pay per week until the Board directs her otherwise and **SECONDED** by Deputy Mayor Farrell.

ALL IN FAVOR

MOTION was made by Deputy Mayor Farrell to schedule a meeting on Wednesday, October 26, 2016 and 7pm to enter Executive Session for a personnel issue. If necessary the date will be changed upon agreement of Board Members and **SECONDED** by Trustee Chichester.

ALL IN FAVOR

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MOTION was made by Deputy Mayor Farrell to approve a licensing agreement with Andre and Norise Robinson, 59 Oxford Lane, Harriman dated September 30, 2016 and **SECONDED** by Trustee Daly.

ALL IN FAVOR

MOTION was made by Trustee Daly and **SECONDED** by Trustee Chichester to adjourn the meeting at 9:35pm.

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk