

**VILLAGE BOARD MEETING  
OCTOBER 8, 2019**

**6:45PM – AUDIT BILLS**  
**7:20PM – PUBLIC HEARING – Local Law #12**  
**7:25PM – PUBLIC HEARING – Local Law**  
**7:30PM – REGULAR MEETING**

**AGENDA**

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – September 10, 2019**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. LOCAL LAW # 12 – 2019**
- 6. LOCAL LAW # 13 – 2019**
- 7. HALLOWEEN CURFEW**
- 8. PARK REQUEST – Cucchi 10/13**
- 9. GENERATOR SERVICE AGREEMENT**
- 10. SAM GRANT # 15533**
- 11. SAM GRANT # 19242**
- 12. WATER ACCOUNTS 128, 491 – 525, 681**
- 13. HERITAGE TRAIL**
- 14. VZW – Cell Site**
- 15. DPW – Vehicle Purchase**
- 16. UNIFIED HAZARD MITIGATION PROGRAM**
- 17. KEARNEY AVENUE SUBDIVISION**
- 18. ATTORNEY REPORT**
- 19. PUBLIC COMMENTS**
- 20. MOTION TO ENTER EXECUTIVE SESSION – LITIGATION - ATTORNEY CLIENT PRIVILEGE**

**UPCOMING MEETING DATES:**

<b>ZONING BOARD OF APPEALS MEETING:</b>	<b>NOVEMBER 06, 2019</b>
<b>PLANNING BOARD MEETING:</b>	<b>OCTOBER 21, 2019</b>
<b>VILLAGE BOARD MEETING:</b>	<b>NOVEMBER 12, 2019</b>

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**6:45pm – Audit Bills**

**7:20pm – Public Hearing – Local Law #12**

**7:25pm – Public Hearing – Local Law**

**7:30pm – Regular Meeting**

**PUBLIC HEARINGS:**

**Mayor read:**

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 12 of 2019 amending Chapter 136 (Water), Article I, § 136-1 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 temporary location at 12 Church Street, Harriman, New York (formerly the Harriman School)** on October 8, 2019 at 7:20 p.m. or as soon thereafter as the matter may be heard.

The local law will amend the definitions section of Article I of Chapter 136 (relating to system rules and regulations), to add water meters and service lines to the definition of Village Water System. This addition will clarify that the authority of the Village to shut off water for the purpose of making replacements and repairs to the water system includes replacement and repair to meters and service lines.

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 asked did we receive any written correspondence?

Clerk replied no

No Public Comments – In addition to the Board, the Village Clerk, Police Chief and Building Inspector are the only ones here.

**Mayor read:**

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law of 2019 amending Articles VII and VIII of Chapter 140 of the Code of the Village of Harriman (Zoning) pursuant to Sections 10 and 20 of the Municipal Home Rule Law at the Harriman Village Hall **at its temporary location at 12 Church Street, Harriman, New York (formerly the Harriman School)** on October 8, 2019 at 7:20 p.m. or as soon thereafter as the matter may be heard.

The purpose of this local law is to amend Article VII, which regulates accessory apartments in the Village. The existing provisions of Article VII will be deleted and replaced with new provisions regulating the construction and permitting of accessory apartments, including provisions relating to fees and public hearings on applications for an accessory apartment. The local law will also amend Article VIII of Chapter 140 (Planning Board) by adopting enabling legislation authorizing the Planning Board to accept and determine applications for accessory apartments. The schedule of district regulations will also be amended to include accessory apartments as an accessory use in R-100, R-50, R-M and PAD districts.

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

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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 did we receive any written correspondence?

Clerk replied no

No Public Comments

**MOTION** was made by Trustee Farrell to close the Public Hearing on Local Laws 12

**SECONDED** by Trustee Daly

**ALL AYE**

Mayor stated on the second Local Law on Chapter 140 Article 7 and 8 we have received comments from the Planning Board Attorney. The Village Attorney has made some additional comments. We have not heard from the Planning Board yet, so I recommend we leave this Public Hearing open and continue it at the next Board Meeting.

**MOTION** was made by Trustee Chichester to keep Chapter 140 Local Law open until the next Board Meeting.

**SECONDED** by Trustee Medina

**ALL AYE**

**REGULAR MEETING**

**ROLL CALL**

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Sandra Daly, Trustee Lou Medina, Chief Henderson, John Hager, Building Inspector, Village Clerk Jane Leake, Village Attorney, Dave Darwin

**ABSENT:** NONE

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

**APPROVAL OF MINUTES**

Mayor asked if there are any changes or corrections to the minutes of September 10, 2019 Regular Board Meeting?

**MOTION** was made by Trustee Daly to accept the minutes of September 10, 2019 Regular Board Meeting.

**SECONDED** was made by Trustee Farrell

**AYE:** Trustee Farrell

Trustee Daly

Trustee Medina

Trustee Chichester - Abstained

**NAY:**

NONE

**INFORMATIONAL ITEMS:**

- The Village continues to pick up brush on a weekly basis Ask that you put the brush at the edge of your property and not in the street.
- Leaf pick up will begin October 15, 2019 and run through approximately December 2, 2019 depending upon weather. Leaves need to be at the edge of the property, not in the street and they have to be loose, not bagged.

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This evening's bills were audited:

Trust & Agency	\$	1,011.04
General Fund	\$	100,653.08
Water Fund	\$	54,685.85

Upcoming Meeting Dates:

Zoning Board of Appeals – November 6, 2019

Planning Board – September 16, 2019

Village Board – November 12, 2019

**ADDITIONS:**

12) Water Accounts 172, 320, 551 and Water Shut Off's

18) 2 Maple Avenue – Lead Agency, SEQRA, Demolition

- O & R continues to trim trees in the area. If you have any questions, we have a phone number here where you can contact someone.
- Water Billing Alerts by Email. Anyone who would like to subscribe to that contact Village Hall. You will get email notices when the bills are due, when they are coming out and any late fees that will be going on.
- On September 23<sup>rd</sup> I attended the Orange County Legislature Fiscal Services Committee where the report of the subcommittee on the Harriman Wastewater Treatment Plant was presented very briefly to the Physical Services Committee.
- On October 3<sup>rd</sup> I attended the Orange County Legislators Meeting where the Sewer Plant and all of the studies by Delaware Engineering were presented to the what was supposed to be the full Legislature it was only about 2/3 of it that bothered to show up. No decisions have been made and probably won't be for quite a while.
- The Town of Monroe is having a Public Hearing on a Special Planning District and Conservation Cluster Residential Floating Zone and they will leave the Public Comment open until October 25<sup>th</sup>. We do have a copy here at Village Hall if anyone is interested.
- The Town of Monroe Composting Facility will be opened Saturdays and Wednesdays for the month of November from 8am – 2pm. They will accept leaves and brush. Brush must be tied, under 4 foot in length and no larger than 5" in diameter. They will not accept grass clippings, logs or wood.
- Rake Street, Short Street and Brookside Drive West from Brookside Drive East to Melody Lane are still scheduled to be resurfaced. Everyone in those affected areas has received a notice regarding the fact as soon as we know when the company is going to be here to do it, there will be no parking on the street at all and the day they are actually doing the paving there will be no traffic in and out for the majority of the day. Any cars that are left parked on the street will have to be towed. As soon as the company notifies us that they will be here a notice will be put on everyone's door again in the affected areas.
- Beginning November 1<sup>st</sup> there is no on street parking from 11pm – 6am and there is no parking on the street after 2" of snow has fallen.

**DEPARTMENT REPORTS**

Treasurer Report – see attached report  
DPW – see attached report  
Police Department – see attached report - \$5.00 funds  
Water Account Adjustments – see attached report  
Court Reports – see attached reports August \$30,093.00 \$20,320.00 remains with Village  
Building Department – see attached report  
    \$ 355.00 Building Permits  
    \$ 75.00 Demolition Permit  
    \$ 750.00 Violation Searches  
    \$ 200.00 Inspection Fees  
    \$ 1,380.00 **TOTAL**

**LOCAL LAW #12**

Mayor stated the public hearing was held this evening on Local Law #12 regarding Section 136 of the Village Code. There were no written or verbal comments.

**MOTION** was made by Trustee Medina to accept Local Law #12.

**SECOND** was made by Trustee Chichester

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

**LOCAL LAW**

Mayor stated Local Law regarding Chapter 140, (Accessory Apartment) the Village Board has voted to continue the Public Hearing to the next meeting where there are modification that still need to be made to it.

**HALLOWEEN CURFEW**

Mayor stated Section 92 of the Village Code states that October 30 and October 31 from 8pm – 6am ending on November 1<sup>st</sup> at 6am, minors, which is any person under the age of 18, cannot be out on the streets unless accompanied by a parent, guardian or adult.

**PARK REQUEST**

Cucchi – October 13, 2019

**MOTION** was made by Trustee Farrell to approve Cucchi park request.

**SECOND** was made by Trustee Medina

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

**GENERATOR SERVICE AGREEMENT**

Mayor stated at the last meeting I stated that the total was \$3,388.05, that was last year's amount. This year's total is \$3,435.55.

**SAM GRANT # 15533**

Mayor stated the Grant is through NYS. This is for 95,000.00 for a tow behind generator. This is the last Grant we got through Senator Larkin.

**MOTION** was made by Trustee Daly to authorize the Mayor to sign the paperwork for Grant 15533.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
  
NONE

**SAM GRANT #19242**

Mayor stated this Grant is \$175,000.00 that we were able to secure through Senator Skoufis towards the new building.

**MOTION** was made by Trustee Chichester to authorize the Mayor to sign the paperwork for Grant 19242.

**SECOND** was made by Trustee Medina

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

**NAY:**  
NONE

**WATER ACCOUNTS**

Account – 128 – Mayor stated when the meter went in a couple of years ago the wrong information was given to the Village Clerk, so they have been charged to much for their quarterly meter charge. Looking to credit them the difference in the amount of \$318.75.

**MOTION** was made by Trustee Chichester to approve crediting account 128 in the amount of \$318.75.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

Account 491 – 525 in the name of the same property owner – penalty waivers

**MOTION** was made by Trustee Farrell to approve a one-time penalty waiver on all accounts in the same property owners name within Accounts 491-525.

**SECOND** was made by Trustee Chichester

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

**NAY:**  
NONE

Account 681 – penalty waiver

**MOTION** was made by Trustee Farrell to approve a one-time penalty waiver on Account 681.

**SECOND** was made by Trustee Medina

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

**NAY:**  
NONE

Account 172 & 320 – penalty waivers

**MOTION** was made by Trustee Farrell to approve a one-time penalty waiver on Accounts 172 & 320.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

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Account 551 – penalty waiver

**MOTION** was made by Trustee Daly to approve a one-time penalty waiver on Account 551.

**SECOND** was made by Trustee Medina

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

**NAY:**  
NONE

Mayor stated shut off notices went out and are scheduled for October 17, 2019. We pushed it back a week, so people have more time.

**MOTION** was made by Trustee Chichester to approve shutting off the balance of the customers on the shut off list come October 17, 2019.

**SECOND** was made by Trustee Farrell

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

**NAY:**  
NONE

**HERITAGE TRAIL**

Mayor stated the County has finally agreed on a plan and the plan involves having Orange and Rockland move a utility pole. They are waiting to hear back from Orange and Rockland before they get started. The Village has suggested going around the pole which would not be a big deal to save time and money, but the County insists this is the way to do it. We are waiting for Orange and Rockland to give an assessment of what it is going to take to move this pole.

**VZW – CELL SITE**

Mayor stated Verizon Wireless Cell Site we will need to discuss in Executive Session with the Contract.

**DPW – VEHICLE PURCHASE**

Mayor stated DPW vehicle purchase on August 13<sup>th</sup> the Board approved a withdrawal from the Highway Capital Reserve Account for the purchase of a new DPW vehicle. The 30-day period for a petition to be filed for a Permissive Referendum has passed without any petitions filed. Therefore, the purchase can continue as approved by this Board.

**UNIFIED HAZARD MITIGATION PROGRAM**

Mayor stated through Homeland Security and Emergency Services they are offering Grant money under the Unified Hazard Mitigation Program. This is to address issues before they become issues during an emergency. We have gone through a study about two years ago and the main thing that is needed by the Village is Generators for those water facilities that do not have them. I will be submitting a request for a Grant of \$200,000.00 for those Generators.

**MOTION** was made by Trustee Daly to approve signing the paperwork for the Unified Hazard Mitigation Program Grant in the amount of \$200,000.00 for Generators.

**SECOND** was made by Trustee Chichester

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

**NAY:**  
NONE

**KEARNEY AVENUE SUBDIVISION**

Mayor stated the Water Main is complete and in service. This will improve the operation of the water system in this area in addition to serving the two new homes.

**2 MAPLE AVENUE**

Mayor stated regarding 2 Maple Avenue – the first thing we need to do is adopt a Resolution for Lead Agency, correct?

Attorney Darwin replied yes, Declaring the Board as Lead Agency and that the EAF that has been prepared has been reviewed and that the Board has determined that there are no significant adverse environmental impacts associated with this action.

Mayor read:

A RESOLUTION OF THE VILLAGE OF HARRIMAN BOARD OF TRUSTEES PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT DECLARING ITSELF LEAD AGENCY AND DETERMINING THAT THE PROPOSED DEMOLITION OF A RESIDENTIAL BUILDING AND OTHER SITE IMPROVEMENTS AT 2 MAPLE AVENUE, HARRIMAN, NEW YORK, WILL NOT HAVE ANY SIGNIFICANT ADVERSE ENVIROMENTAL IMPACTS

WHEREAS, the Village of Harriman proposes to proceed with the demolition of an existing multi-family dwelling currently owned by the County of Orange, located at 2 Maple Avenue, Harriman, New York, SBL no. 103-2-3, and other site improvements on said property including driveways, sidewalks, drainage structures and/or fences and provide a minimum of 3" of topsoil and seed after the completion of demolition; and

WHEREAS, in compliance with the State Environmental Quality Review Act (SEQRA) and the SEQRA regulations, the Village of Harriman intends to serve as Lead Agency for the action, has made a determination that the proposed action is an Unlisted Action under SEQRA, and has conducted an environmental review of the proposed Action, and completed a short Form Environmental Assessment Form ("EAF");

NOW, THEREFORE, it is hereby

RESOLVED, that this Village Board hereby (1) declares itself lead agency for the proposed Action; (2) makes a determination that the Action is an unlisted action under SEQRA; and (3) makes a determination that the proposed action will have not result in any potential, significant, adverse environmental impacts.

**MOTION** was made by Trustee Farrell to declare the Board as Lead Agency which the EAF has been prepared and reviewed and the Board has determined that there are no significant adverse environmental impacts associated with this action and also authorizing the Mayor to sign the EAF.

**SECOND** was made by Trustee Medina

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

**NAY:**  
NONE

Mayor continued we have requested quotes from six contractors for demolition, as we need three quotes. We received one and that quote came in over the threshold that we can do without bidding it. We will have to discuss this in Executive Session and come up with a plan for bidding it out.

**ATTORNEY REPORT**

None

**PUBLIC COMMENT**

Building Inspector stated I would like to thank the Board for allowing me to attend the NYS Building Officials Conference two weeks ago. A few of the things that came out of that there was a lot of



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discussion about our local Senator Skoufis and the findings of his recent Investigative Panel and the report that has been issued on that. I will say this the organization is enthusiastic about what the outcome will be of that. We feel that some of what's come about through that has been ongoing issues since the organization has been asking for action. One of the things that seems to be a goal of that Board is to expose these LLC's that make it difficult to serve property owners that are not cooperating and it seems that they are going to push for that and also push for the Legislatures to start to make some regulations that makes that more transparent for future purposes so you can't hide behind these LLC's and not take the responsibilities of issues with these properties. So that seems to be a positive thing coming out of all that.

**MOTION** was made by Trustee Chichester to Enter into Executive Session for Litigation and Attorney Client Privilege items.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell

Trustee Daly

Trustee Medina

Trustee Chichester

**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.

**MOTION** was made by Trustee Medina to adjourn Executive Session and return to Regular Meeting.

**SECOND** was made by Trustee Chichester

**ALL IN FAVOR**

**MOTION** was made by Trustee Medina to waive tap in fees for 2 new homes on Kearney Avenue (15 & 18) in exchange for Village Water Easement.

**SECOND** was made by Trustee Daly

**ALL IN FAVOR**

**MOTION** was made by Trustee Farrell to waive penalties and late fees on water account 854 and send letter outlining due dates and options regarding future bills.

**SECOND** was made by Trustee Daly

**ALL IN FAVOR**

**MOTION** was made by Trustee Farrell to have South Main/James Street subdivision (103-3-4) to be reappraised by a different firm with a cost up to \$700.00.

**SECOND** was made by Trustee Medina

**ALL IN FAVOR**

**MOTION** was made by Trustee Chichester to adjourn Regular meeting at 9:20pm.

**SECOND** was made by Trustee Daly

**ALL IN FAVOR**

Respectfully submitted by: \_\_\_\_\_

Jane Leake, Village Clerk