

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**October 28, 2014**

**7:00 P.M. – REGULAR MEETING**

**ROLL CALL:**

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Lawrence Mosca, Trustee Christine Sacher, Village Treasurer Marie Coimbra, and Village Attorney Marissa Tuohy of Ostrer & Associates.

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 minutes of the October 14, 2014 Board Meeting. There being none, the minutes were accepted as written.

**MOTION** was made by Trustee Shuart to accept the October 14, 2014 minutes as written.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester

Trustee Sacher

Trustee Shuart

**ABSTAIN:** Trustee Mosca

**INFORMATIONAL ITEMS:**

- Upcoming meeting dates:
  - Zoning Board of Appeals Meeting – November 19, 2014
  - Village Board Meeting – November 12, 2014
  - Planning Board Meeting – November 17, 2014
- Halloween curfew as per Village Code 92-3 is for October 30th and 31<sup>st</sup> from 8:00 p.m. to 6:00 a.m. and it has been extended to Saturday November 1<sup>st</sup> and Sunday November 2<sup>nd</sup>. No one under the age of 18 without a parent or guardian should be roaming around the village.
- Received a notification from the Governor's Office on Storm Recovery, this is regarding the local match regarding Super Storm Sandy. If we wanted the state to cover the 10 percent, we had to notify them that we are interested. I let them know that we are definitely interested.
- We received a completed works approval from Orange County Department of Health for the new Water Tank, that is complete and in service.
- Two water accounts were notified about their curb boxes, in accordance with section 136-3 of the Village Code and they were given a little over a month to repair them since they were not functioning.
- Garbage collection, Veteran's Day Week is as follows, the Town of Monroe side remains the same. Town of Woodbury side recycles will be Thursday, November 13 instead of Wednesday and garbage will be Saturday, the 15<sup>th</sup> instead of Friday the 14<sup>th</sup>.
- Received a letter from the NYS Department of Environmental Conservation regarding our request, to be an involved agency in connection with annexation with the Town of Monroe and the Village of Kiryas Joel. DEC states that they no known jurisdiction or discretionary authority over this action and cannot assist us at all.
- The time frame for the permissive referendum regarding the creation of the second justice position has expired.
- On the November 16<sup>th</sup> the Deputy Mayor, Building Inspector, Police Sergeant and myself attended the grand opening of Takasago on Commerce Drive. They are fully operational now. Welcome Takasago to the Village of Harriman.

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**INFORMATIONAL ITEMS: (Cont'd)**

- Planning Board and Zoning Board of Appeals we still have some openings. Please submit a letter of interest to the Village Hall.
- The Department of Public Works will be flushing hydrants from November 10, 2014 to November 14, 2014.
- Three additions to the agenda: Item 5A. Training request from the Deputy Clerk, Item 5B. Training request from the Building Inspector and 5C. Proposal M&R Energy.

**SURPLUS EQUIPMENT:**

A couple of months ago we surplus a 1991 Diamond Reo, we accepted a bid of \$8,100 it was never paid for. We put it back out to bid and it came in at \$12,600. Need a motion to accept this bid.

**MOTION** was made by Trustee Chichester to accept the bid of \$12,600 as outlined by the Mayor.

**SECOND** was made by Trustee Mosca

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Mosca  
Trustee Sacher  
Trustee Shuart

**WATER ACCOUNT 3002:**

Mayor Welle stated this was the account that was discussed at the last meeting, that the meter had stopped reading to the remote and we could not get access to the house. The board authorized me to contact the homeowner and we did manage to get access that Friday and the meter itself was faulty, it had stopped reading. Meter was replaced. In accordance with the code the bill was estimated using the last 4 readings. The customer was given the reading along with the late charges and the customer paid that day. We need to make the changes to the account according to the Deputy Clerk's memo dated 10/24/14 on Account 3002.

**MOTION** was made by Trustee Chichester to accept the changes as outlined by the Deputy Clerk's memo date 10/24/2014 for account 3002.

**SECOND** was made by Trustee Mosca.

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Mosca  
Trustee Sacher  
Trustee Shuart

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**DEPUTY CLERK's TRAINING REQUEST:**

Mayor Welle stated that we have a request from the Deputy Clerk for four, One hour Webinars regarding Planning and Zoning given by NYCOM. The cost is \$50.00

**MOTION** was made by Trustee Shuart to approve Deputy Clerk's Training Request.

**SECOND** was made by Trustee Chichester.

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Mosca  
Trustee Sacher  
Trustee Shuart

**BUILDING INSPECTORS TRAINING REQUEST:**

Mayor Welle stated that we have a request from the Building Inspector to take a course on December 4, 2014 which is a prerequisite for a class he has to take next year regarding the Energy Code update. The cost is a \$125.00, if he registered before November 15, 2014 and it would be \$200.00 thereafter.

**MOTION** was made by Trustee Mosca to approve the Building Inspector's Training Request for December 4, 2014.

**SECOND** was made by Trustee Chichester.

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Mosca  
Trustee Sacher  
Trustee Shuart

**M&R Energy:**

Mayor Welle stated that we got information this afternoon from M&R Energy regarding our Gas Contract which is due to expire at the end of December. Last winter's rate on the open market were between .782 and .83 cents per 100 cubic feet. We can lock in .529 per 100 cubic feet from January 1, 2015 to the end of April. We would need to sign on tonight.

**MOTION** was made by Trustee Mosca to authorize the Mayor to sign the contract with M&R Energy.

**SECOND** was made by Trustee Chichester.

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Mosca  
Trustee Sacher  
Trustee Shuart

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**2014-2015 BUDGET MODIFICATION & TRANSFER:**

Mayor Welle stated that the budget modification has to do with the Centennial Celebration for the donations and the cost. The budget transfer has to do with moving \$1,000.00 from Contingent to the Highway Overtime line this has to do with payments made to John Karl on his retirement.

**MOTION** was made by Chichester to approve the budget modifications and budget transfer as outlined in October 24, 2014 memo from the Village Treasurer.

**SECOND** was made by Trustee Shuart

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Sacher  
Trustee Shuart  
Trustee Mosca

**ATTORNEY REPORT:**

RD Management Water Account – Attorney Tuohy stated that we sent one last letter prior to initiating any lawsuit. We have not heard from them since our August letter so this will be our last attempt.

Arden Forest Gas Easement – Attorney Tuohy had presented the board with a copy of the updated easement. Attorney Tuohy stated that in paragraph 3 where it states one year after signed date it actually should say one year thereafter, because in the future if there needs to be excavation I don't want there to be a problem.

Mayor Welle stated that this will allow the Village to have a gas service also put in this easement for the generator that is proposed to the Harriman Heights 2 Well House. When the proposal was made during budget time last year, it was not accounted for that we need to get gas there somehow. We obtained this easement for the new water line and we are changing to add as a utility easement so we can put gas into it. The President of the homeowners association has indicated that he will sign off on it. We need a motion to accept the revised easement.

**MOTION** was made by Shuart to accept the revised easement.

**SECOND** was made by Trustee Mosca

**AYE:** Trustee Chichester                      **NAY:** -0-  
Trustee Sacher  
Trustee Shuart  
Trustee Mosca

Mayor Welle asked Attorney Tuohy about filing this easement, who will be doing this because it had come to his attention that the original was never filed and the original does not need to be filed at this time. Attorney Tuohy stated that is correct because we refer to it as unrecorded here and it is the same exact document. The Mayor states to Attorney Tuohy that when he receives the signed document back we will discuss who will file it. Attorney Tuohy states that tax documents and fees need to go with the easement.

TJ Maxx Easement – Attorney Tuohy states no response on the gas easement but I did send other email today.

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**PUBLIC COMMENT:**

**Joe Chen – 3 Grove Street**

**Jim and Terry Coleman – 4 Maple Avenue**

Terry Coleman shows the board a picture on her phone from this past winter of the snow and her driveway. The Colemans and Mr. Chen states to the board their concerns of how the snow is plowed into their driveways during every snow storm. They state that they realize that it was a bad winter. They state that last year they would pile the snow up into wheel barrels at the end of the storm and move it to the pile at the Police station that was created by the DPW and they were threatened by one of the Police Officers, who they did not know, with a violation of moving snow. Mrs. Coleman states that she feels this is excessive and respects the fact that we are across from the police station and they need to get out, we have a special needs son and what if we need to get out?

The Mayor states that he will discuss with the Acting DPW Super about all winter activity. The Mayor states that it depends on how much snow we get, but asks that if these homeowners run into a problem, that is out of the ordinary or you are being wronged, you need to contact the Village Hall immediately. The Mayor states that if it is on a weekend or a holiday call the police department and asks them to get a hold of me and I will come out and see what the issue is and we can address it or see if we have no control.

Mr. Coleman asks if there is a plan to bucket truck the snow if it is excessive. The Mayor replies that is what is normally done for Village Properties, not homeowners. Mr. Coleman asks could we get permission to move the snow to the Police Station.

The Mayor states lets address this as we go through the winter.

**Michael Hagopian, - 194 Route 17M**

Mr. Hagopian asks the Mayor if the NYS Comptroller Office are still at Village Hall and are there any reports?

Mayor Welle states that they are gone and there are no reports, the indication I got from them is that you already contacted them for the information. They stated that it could be several months before it is issued.

Joe Chen – 3 Grove Street

Joe Chen shows the board a picture of his neighbor's garbage cans. He states to the board about his next door neighbors(when you look at his house to the left) garbage, he always has it out and it is going all over the place.

Discussion with the board and Joe Chen on the containers and when they are out on the roadside.

The Mayor states that he will give to the Building Inspector tomorrow to look into the matter.

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**PUBLIC COMMENT(Continued):**

**Jennifer Phillips-Carrillo - 186 Route 17M**

Mrs. Carrillo states that she has come to speak about her water pressure and the issues that I believe the Mayor is aware of. The Mayor states that you did mention it the day of the water main break.

Mrs. Carrillo states that our store has been at this location for 43 years and we probably have had dynamite water pressure for 38 of those years. In the last 5 years it has declined and our water pressure is astronomical. We have seen it go from real strong to trickling. I wanted to bring it to the board's attention.

Mayor Welle asks her if it is in just the commercial part or residential. Mrs. Carrillo states they have been trying to determine, but it is hard to get everyone to use the water at the same time. The Mayor states I will have them check out the situation.

**MOTION** was made by Trustee Shuart to enter into Executive Session for attorney client privilege item.

**SECOND** was made by Trustee Chichester

**ALL IN FAVOR.**

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

**MOTION** was made by Trustee Shuart to end Executive Session and return to the regular meeting.

**SECOND** was made by Trustee Chichester.

**ALL IN FAVOR**

A **MOTION** was made by Trustee Chichester and **SECONDED** by Trustee Mosca to adjourn the meeting at 7:37 pm.

**ALL IN FAVOR.**

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

Marie Coimbra, Treasurer