

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
September 12, 2017
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6:45pm – Audit Bills

7:00pm – Motion to Enter Executive Session – Litigation – Attorney Client Privilege

7:30pm – REGULAR MEETING

The following was given by Mayor Welle:

7pm Mayor Welle Opened Meeting

PRESENT Deputy Mayor Farrell, Trustees Daly and Chichester, Mayor Welle and Attorney Darwin.

MOTION was made by Chichester to enter into Executive Session with David Darwin, Esq. for litigation and Attorney Client Privilege.

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Daly to adjourn Executive Session at 7:15pm and return to Auditing Bills.

SECOND was made by Deputy Mayor Farrell

ALL IN FAVOR

7:30pm REGULAR MEETING

ROLL CALL

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, 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 Trustee Frank Borowski

The Mayor asked everyone to stand for the Pledge of Allegiance and to remain standing for a moment of silence in memory of the almost 3,000 people who were killed by terrorists in 2001,

APPROVAL OF MINUTES

Mayor Welle asked if there were any changes or corrections to the minutes of August 8, 2017 Regular Board Meeting and the August 29, 2017 Special Meeting.

MOTION was made by Trustee Farrell to accept the minutes of August 8, 2017 Regular Board Meeting and August 29, 2017 Special Meeting.

SECOND was made by Trustee Chichester.

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

INFORMATIONAL ITEMS:

This evening's bills were audited:

| | |
|----------------|---------------|
| Trust & Agency | \$ 3,364.46 |
| General Fund | \$ 198,778.65 |
| Water Fund | \$ 61,404.56 |

- At the last meeting we approved subject to the attorney's approval an agreement with Municipal Audits Services LLC regarding the franchise fees from the cable company and the gross receipts from the Utility Company. They have been approved and sent on and they are working on it.
- Family Fun Day is the Saturday from 1-4pm being held at the Edward B. Shuart Memorial Playground.

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- The bidding went out on the Bond which is going to combine the 400,000 bond for the SCADA System and the 300,000 Bond which we took out to put the water main extension in. It will be combined into a \$685,000 Public Improvement Serial Bond. Two bidders. Roosevelt and Cross was the low bidder at 2.8654 effective net interest rate. Closing is September 19, 2017.
- Brush Policy Reminder – brush goes at the edge of your property not in the street and the butt end out.
- The Botanical Sanctuary that the young lady approached us about several months ago has been planted at the corner of North Main and River Road. She was able to get donations from Devitt’s and Gardens Gate. It looks very nice down there. She did a very good job on it.
- The School Supply Drive – on Friday, September 1, 2017 we delivered approximately 25 boxes of school supplies to the Monroe Woodbury School District which were going to be given out the day before school started to those students that were identified as being in need. We are continuing to collect school supplies.
- We still have openings on the Planning Board and Zoning Board of Appeals. Anyone interested please send a letter to the Village Clerk.
- **ADDITIONS:**
 - 12a) Water Account Request – 152, 451 and 352
 - 12b) Water Account Request – 18
 - 12c) Water Account Request – 743
- We did receive a letter from a water customer complaining about the fee to pay by credit card. I did respond explaining that by State Regulation we have to collect the full amount due on a bill. We cannot collect less and all credit cards charge for transactions and this is the lowest rate the Village can get from any credit card company.
- Resolution Authorizing the Treasurer to expend up to \$310,000.00 from the Building Capital Reserve the time for filing for permissive referendum has expired on September 8, 2017.
- I received notice yesterday afternoon that Senator Larkin has secured a \$140,000.00 grant for site improvements for the proposed new Village Hall/Police Station.
- The Heritage Trail had the ribbon cutting ceremony on September 1, 2017 for the Monroe to Harriman Section. Unfortunately the County hasn’t completed an access point in Harriman. Although it is being worked on.
- **ADDITION:**
 - 11c) LBG Proposal for the Harriman Heights 3 Well

DEPARTMENT REPORTS

Treasurer Report – see attached report
DPW – see attached report -
Police Department – see attached report
Water Account Adjustments – see attached report
Court Reports – see attached reports -
Building Department – see attached report

| | |
|------------------|--------------------|
| \$ 450.00 | Building Permits |
| <u>\$ 500.00</u> | Violation Searches |
| \$ 950.00 | Total |

TAMR SUBDIVISION DEDICATION

The Mayor stated the TAMR Subdivision is between Maple Avenue and Kearney. The Engineer is still working with the Applicant and there has been movement on the Applicants part and they are working on an agreement where the Village will accept the dedication of the property at the end of Kearney to have a T or L turn around. The Applicant for whoever purchases the building lots at the end of Kearney would be responsible for the tree removable, grading, etc. and then after all that work and the utilities were in the Village would come in and do the paving work.

FRONTIER TELEVISION FRANCHISE AGREEMENT

The Mayor asked Attorney Darwin do you have any additional information on the Frontier Televisions Agreement?

Attorney Darwin replied I received the links to the Public Service Commission Applications for the Franchise Agreement for seven other municipalities in Orange County that the Frontier Representative mentioned. So I started looking through the other franchise agreements to see how they compare to the one that has been presented to the Village of Harriman. So far the couple I have looked at are fairly similar to the one that was provided to the Village of Harriman. Some minor language changes here and there. The substance has been essentially the same. I also took a look at the Public Service Commission order granting the franchise. I will continue to look through that paperwork and as soon as I am done I will report on my recommendation. The other matter I would report on is the LU Property Sale from the Village to LU there is the verti issue that we talked about. The buyer's title company wants an airship affidavit from a disinterested party which is proved to be very difficult to obtain. When I spoke to the buyer's lawyer he suggested that there was another title company who would be willing to insure title without the heirship affidavit that would probably be okay with him. So I reached out to Hardenburgh Abstract and they are taking a look at the issue and they will let me know if they can waive the heirship affidavit or accept one from one of the airs.

PBA OFFICERS

The Mayor stated the following:
President – P.O. Edward Josefovitz
Vice President – P.O. John Levison
Treasurer – P.O. Antonyo Mena

POLICE CHIEFS EMPLOYMENT AGREEMENT

The Mayor stated a couple of things were overlooked when we last renewed the Chiefs Employment Agreement. The Board has modifications in front of them for acceptance.

MOTION was made by Trustee Chichester to approve the modifications to the Police Chiefs Employment Agreement stated in his September 12, 2017 letter.

SECOND was made by Trustee Daly

| | |
|-----------------------------|-------------|
| AYE: Trustee Farrell | NAY: |
| Trustee Chichester | NONE |
| Trustee Daly | |

PARK REQUESTS

Lexandra – September 17, 2017 – 1-4pm

MOTION was made by Trustee Chichester to approve the Lexandra Park Request for September 17, 2017 from 1- 4pm.

SECOND was made by Trustee Farrell

| | |
|-----------------------------|-------------|
| AYE: Trustee Farrell | NAY: |
| Trustee Chichester | NONE |
| Trustee Daly | |

Fernandez – August 26, 2017 – 9-7:30pm

The Mayor stated it came in the last minute therefore I had approved it based upon past practice with that.

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MOTION was made by Trustee Farrell to approve the Fernandez Park Request for August 26, 2017.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

ORCHARD HILL BOOSTER

The Mayor stated I contacted all Board Members on September 1, 2017 to advise them that there was an emergency that there was supposed to be two pumps working and only one was barely working. It would take approximately two weeks to get parts and rebuild the one and four to five weeks to get new pumps which do need to be installed. We went through Empire State Electric Motors who is local and can do it quicker than anyone else

MOTION was made by Trustee Daly to authorize the Orchard Hill Booster Pump an emergency and to have one pump rebuilt and purchase two new pumps.

SECOND was made by Trustee Chichester

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

The Mayor stated they were able to get the parts quicker and the old one has been rebuilt and installed. As soon as we do get the two new pumps they will be installed and the rebuilt will be kept as a spare.

DPW SUPERINTENDENT TRAINING REQUEST

The Mayor stated DPW Superintendent's training course will be on October 17 and 18th and there is no cost.

MOTION was made by Trustee Chichester to approve the DPW Superintendent's NY Rural Water Association training on October 18 and 19th at no cost.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

DPW SUPERINTENDENT SURPLUS

The Mayor stated the DPW Superintendent is requesting to put a 2008 Chevrolet 3500 HD 4x4 mason body and plow to declare it surplus and put out for bid with an ending date of October 9, 2017.

MOTION was made by Trustee Chichester to declare the 2008 Chevrolet 3500 HD 4x4 mason body and plow surplus.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

MOTION was made by Trustee Chichester to list the 2008 Chevrolet 3500 HD 4x4 mason body and plow on Auction International with a closing date of October 9, 2017.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

LBG PROPOSAL

The Mayor stated the Harriman Heights 3 Well which we had radiological issues with and has been turned off for over a year is a good producing well and there has been a lot of research done on it and discussions with the Health Department and there is a way we can blend that so we can use it. LBG has presented us with a proposal of \$6500.00 to design that.

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MOTION was made by Trustee Chichester to approve the LBG Proposal of \$6500.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

BUDGET TRANSFERS

The Mayor stated the Treasurer has requested a budget transfer and a budget adjustment in a memo dated September 8, 2017. This has to do with the closing of the Bond on September 19 and transferring the money

MOTION was made by Trustee Chichester to approve the Budget Transfers and Adjustment as outlined by the Treasurer in the September 8, 2017 memo.

SECOND was made by Trustee Daly

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

WATER ACCOUNT REQUESTS

Accounts 152, 451 and 352

MOTION was made by Trustee Farrell to approve a one-time waiver on the penalties for accounts 152, 451 and 352

SECOND was made by Trustee Chichester

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

Account 15

MOTION was made by Trustee Daly to approve a one-time waiver on the penalty for account 15.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

Account 743

MOTION was made by Trustee Chichester to approve a one-time waiver on the penalty for account 743.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell

Trustee Chichester

Trustee Daly

NAY:

NONE

ATTORNEY REPORT - DISCUSSED EARLIER

PUBLIC COMMENT - NONE

The Mayor stated on August 18, 2017 Chief Henderson presented me with a memo regarding Officer Johnny Motz's retirement. The Mayor read the following letter:

This letter is to inform you of my resignation from the Village of Harriman Police Department. I've been employed with the Village of Harriman Police Department for just over 19 years, and with a total of 24 years of service in law enforcement. It's been a pleasure working with many great officers as well as developing good friendships over the years.

But as we all know, everyone must move onto a different path in our lives. That being said, my last day of employment with the Village of Harriman Police Department will be on August 30, 2017.

I would like to thank the Harriman Police Department and the Village of Harriman Board for the great opportunity they have both given me.

Sincerely,

P.O. Johnny L. Motz #122

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The Mayor continued stating before I take a motion on this I have an excerpt from the Village Board Minutes from June 10, 1998 – motion was made by Trustee Welle to authorize the Chief of Police Gary DeFillips to hire John Motz as an Officer for the Village of Harriman Police as soon as a transfer can be made. Second was made by Trustee Chichester and it was approved by Trustees, Welle, Chichester, Gayzer and Camilleri.

MOTION was made by Trustee Chichester to sadly accept P.O. Johnny Motz’s retirement letter.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Chichester
Trustee Daly

NAY:
NONE

Tribute to Johnny – Village Employees, family members, Judge Drian, Officer Burbage from Woodbury, Chief and Officer’s Mena, Josefovitz and Basilicata from Harriman, Tuxedo Park Police Chief Melchiorre, Sergeant Bourke from Woodbury

The Mayor read the following:

The following was presented to Police Officer Motz by Mayor Welle:

Whereas Police Officer Johnny Motz has retired from the Village of Harriman Police Department is being awarded this recognition as a testimonial of his loyal and dedicated service and whereas Officer Motz has served the Village of Harriman for more than 19 years and whereas Officer Motz has been a devoted Officer and has a valuable effect on the efficiency and moral of his fellow Officers and whereas Officer Motz has consistently performed his job to the best of this ability during his tenure in the Village of Harriman. Therefore we extend our Congratulations and Best Wishes to Officer Motz for continued success in all of your life’s pursuits. Thank you very much, it has been a pleasure.

The following was addressed to Police Officer Motz by Chief Henderson:

I would like to say I got here about four years ago and Johnny at the time was a Senior man and I had one Supervisor and that Supervisor shortly thereafter went out on a disability and Johnny Motz stepped up to the plate as my Second in Command and took on a lot of responsibility and really bailed me out because I didn’t know what this Department was about when I got here and he helped me through the tough times through the five months without a Sergeant. He is a true professional, a great Officer and he will be missed by all the members, including myself in the Police Department and I know the Village Board has always spoken highly of you before I got here and they gave me a heads up on you Johnny. It was all good. So I would like to present you now with your retirement shield and your retirement ID and a nice little case to go along with it. Congratulations man!

Police Officer Motz replied thank you to everyone.

Trustee Daley commented thank you for your service.

MOTION was made by Trustee Daly and **SECONDED** by Trustee Chichester to adjourn the meeting at 8:04pm.

ALL IN FAVOR

Respectfully submitted by: _____
Jane Leake, Village Clerk