

**VILLAGE BOARD MEETING
SEPTEMBER 10, 2019**

7:00PM – AUDIT BILLS

7:20PM – PUBLIC HEARING – Local Law #10 & Local Law #11

7:30PM – REGULAR MEETING

AGENDA

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – August 13, 2019**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. LOCAL LAW #10 & LOCAL LAW #11**
- 6. SURPLUS EQUIPMENT - DPW**
- 7. APPOINTMENT POLICE OFFICER**
- 8. PARK REQUESTS a) Jenkins 8/31 b) Cucchi 9/15**
- 9. #2 MAPLE AVENUE**
- 10. RESOLUTION #8 – 2019 Route 17/86**
- 11. ACCESSORY APARTMENT CODE**
- 12. GENERATOR SERVICE AGREEMENT**
- 13. TRAINING REQUEST – Building Inspector**
- 14. ATTORNEY REPORT**
- 15. PUBLIC COMMENTS**
- 16. MOTION TO ENTER EXECUTIVE SESSION – LITIGATION - ATTORNEY CLIENT PRIVILEGE**

UPCOMING MEETING DATES:

ZONING BOARD OF APPEALS MEETING:	OCTOBER 02, 2019
PLANNING BOARD MEETING:	SEPTEMBER 16, 2019
VILLAGE BOARD MEETING:	OCTOBER 08, 2019

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7:00pm – Audit Bills

7:20pm – Public Hearings – Local Law #10 & #11

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 # 10 of 2019 amending Chapter 78, subdivision H of § 78-9 of the Code of the Village of Harriman (“Unsafe Buildings and Structures”) 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 September 10, 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 § 78-9 H of the Village Code by correcting a typographical/clerical error in said section. This section of the Code as currently written incorrectly provides that the costs of compliance with the Code Enforcement Officer’s directions or the removal of unsafe structures shall be paid in the first instance out of the Town’s general fund. The provision should read that such costs will be paid in the first instance out of the Village general fund.

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

Mayor read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 11 of 2019 amending and revising parts of Chapter 132 of the Code of the Village of Harriman (“Vehicles and Traffic”) pursuant to Sections 10 and 20 of the Municipal Home Rule Law at the Harriman Village Hall **at its new, temporary location at 12 Church Street, Harriman, New York (formerly the Harriman School)** on September 10, 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 and update the following sections of Chapter 132 the Village Code:

Article III – Parking Standing and Stopping – will be amended by adding a new section clarifying that where it is prohibited to park or stand on a public street highway, it shall be a violation if any part of a vehicle extends beyond the curb line of such street or highway.

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Article IV, § 132-38 (Schedule IV) – One-Way Streets – will be amended to correct a clerical error that mistakenly identifies the placement of the sign indicating two-way traffic on Bailey Farm Road at the Woodbury town line, instead of the Monroe town line, and to correctly designate the speed limit on said road as 25 mph, not 30 mph.

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

MOTION was made by Trustee Daly to close Local Laws 10 and 11 Public Hearings
SECOND by Trustee Farrell.
ALL AYE

REGULAR MEETING

ROLL CALL

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee Sandra Daly, Trustee Lou Medina, John Hager, Building Inspector, Village Clerk Jane Leake, Village Attorney, Dave Darwin

ABSENT: Trustee G. Bruce Chichester and Chief Henderson

The Mayor asked everyone to stand for the Pledge of Allegiance and remain standing for a moment of silence in honor of Senator Larkin who passed away recently and all of those who were killed 18 years ago tomorrow in the tragedy of 911.

APPROVAL OF MINUTES

Mayor asked if there are any changes or corrections to the minutes of August 13, 2019 Regular Board Meeting?

MOTION was made by Trustee Farrell to accept the minutes of August 13, 2019 Regular Board Meeting.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

INFORMATIONAL ITEMS:

This evening’s bills were audited:

Trust & Agency	\$ 3,281.80
General Fund	\$ 244,891.04
Water Fund	\$ 39,939.53

Upcoming Meeting Dates:

Zoning Board of Appeals – October 2, 2019

Planning Board – September 16, 2019

Village Board – October 8, 2019

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- This past Saturday was Family Fun Day in the Village. We had better than 300 people there. A lot of great volunteers and everybody seemed to have had a good time. I want to thank everyone who was involved in making it a really nice day.
- We have openings on the Planning Board and Zoning Board of Appeals. Anyone interested please send a letter of interest to the Village Clerk.
- Heritage Trail and the access in Harriman - I went to a meeting two weeks ago with County Representatives, the Engineer the County hired, the Village Engineer, DPW Representative and myself. The County Attorney was there also. Everybody agreed on what needs to be done and the Engineer the County hired said they would have the plans to the County by last Friday. Now today they say they will have it to them by Thursday. Supposedly once they have the plans and review them to insure it is what everyone agreed upon, they will be able to commence working.
- The Teal Ribbons all around the Village are part of Turn the Towns Teal Campaign. It is an awareness campaign for ovarian cancer.
- Brush Policy – continues to be picked up on a weekly basis - ask that you place your brush at the edge of the property, butt end out and not in the road or on the sidewalk.
- Orange and Rockland continues their tree trimming around power lines. I know a few people have been upset about it, but it is something they need to do. The poles are in easements and they have a right to do it. Any questions we do have a phone number here for Orange and Rockland and you can speak to someone there about it.
- We were formally put on notice that the Orange County Sewer District has exceeded the 85% capacity. There was a 2010 Agreement that stated we would be notified when it hit that threshold and I have been waiting to see how long it would take them because from October 2018 to May 2019 the plant was at 98%, November 2018 the plant ran at 134% of capacity, December 2018 was 99%, January 2019 97% and dipped into the upper 80's this past May, which is the latest information I have before it was at 96%. I did attend another meeting today of the subcommittee of the Legislature and they are at a point where they will be providing alternatives to the physical Services Committee on September 23, 2019. There are several alternatives and none of them are cheap to increase capacity.
- The Village has started a new Email Service regarding water bills. Customers would have to sign up for it. It would let you know when the bills are going out, if you are late so you have an opportunity to pay your bill before it gets more delinquent and it will cost you more money. This is something you would have to sign up for at the Village Clerk's Office.
- Saturday, September 21, 2019 from 9 – 3pm at the Orange County Fire Training Center in New Hampton there is a Household Waste and Operation Safe Script Collection Event. You do not need to make an appointment. We have a flyer here at the Village Hall if you want information and there is also information on the County Website.
- We received a letter from the Gattling's on South Main Street in Harriman thanking Kenny Gopel for his assistance. They had a large tree on their property that was hanging over the electric service lines and he was able to connect them with the right people at Orange and Rockland to get it taken care of before it created a serious problem. They also sent a letter to the Board thanking the Board for allowing the Monroe Cheer Club to use the Pavilion for their event recently.

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- On August 17th the Orange County Amateur Radio Club set up also at Mary Harriman Park. Although the weather wasn't cooperative for them to reach to many people with their radios. They said they had a good time regardless and they thanked us for it.
- The Village in the coming weeks will be resurfacing Rake Street, Short Street and Brookside Drive West from Brookside East to Melody Lane. Residents will be notified that there will be no parking for the day on those streets and the road will be closed to all traffic. We will notify people in advance that it is going to happen and then we will notify them the day before once we know when the company is coming. The process involves milling the street down and putting down a new surface on it so there cannot be any traffic.
- The school Supply Drive went very well. We delivered them to the school shortly before school opened. This will help a lot of children who otherwise may not have all the supplies they need for the year.

ADDITION:

8c) Request – Crusader Fastpitch 12 and Under

- I have information here from RECAP which is the Regional Economic Community Action Program regarding available money for feeding use for anyone that would qualify. If you are interested please contact us and we will get you the documents to fill out.

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report - \$15.00 funds

Water Account Adjustments – see attached report

Court Reports – see attached reports July \$18,684.00 \$11,835.00 stays with Village

Building Department – see attached report

\$ 290.00	Building Permits
<u>\$ 150.00</u>	Violation Searches
\$ 440.00	TOTAL

LOCAL LAW #10 & #11

Mayor stated the public hearing was held tonight on Local Law #10 amending chapter 78 h Section 78-9 of the Code. There were no written or verbal comments

MOTION was made by Trustee Medina to approve Local Law #10 amending Chapter 78h, Section 78-9 of the Code.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor continued the public hearing was held for Local Law #11. There were no written or verbal comments.

MOTION was made by Daly to approve Local Law #11 amending and revising parts of Chapter 132 of the Code.

SECOND was made by Trustee Medina

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

SURPLUS EQUIPMENT - DPW

Mayor stated that at the last meeting the Village Board declared a 2010 Ford F250 pickup truck as surplus. It went out to bid on Auctions International. The high bidder was \$8,100.00.

MOTION was made by Trustee Daly to accept the bid for \$8,100.00 on the 2010 Ford F250 pickup truck.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

POLICE OFFICER APPOINTMENT

Mayor stated we have a request from the Police Chief that we hire Andrew Ludewig for the full-time position as a transfer from the State Park Police at a base salary of \$69,180.00 effective September 11, 2019.

MOTION was made by Trustee Farrell to approve hiring Officer Andrew Ludewig at a base salary of \$69,180.00 effective September 11, 2019 with 26 weeks probation.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

PARK REQUEST

Jenkins – August 31, 2019 – were given pre-approval.

Cucci – September 15, 2019

MOTION was made by Trustee Medina to approve Cucci park request.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

CRUSADER FASTPITCH

Mayor stated we have a request from Crusader Fastpitch for field usage. I did ask for the roster of the players be provided and insurance which both were received. The Board has been steadfast on that the team must contain members from the Village of Harriman. The field is supported by the Village of Harriman. Monroe Little League does contribute to it. It doesn't look like they added the Village of Harriman to the policy, but that is something that if approved shouldn't be a big deal.

Trustee Farrell asked when do you think the field would be used?

Mr. Farrell replied Wednesday nights and Saturday mornings if possible. The reason we are requesting this, and we actually desperately need it, is because of the construction work over at the Hight School. Those fields are not ready. All the teams have a log jam and basically this is the only field that is available for these young ladies. I understand there are no Village of Harriman residents on the team, but the majority of the team does go to Monroe Woodbury Middle School and are Monroe area residents.

Trustee Farrell asked what fields did you use in the past?

Mr. Farrell replied Brickley and all these girls grew up playing Little League on the VFW Field.

Trustee Farrell asked is this a new League?

Mr. Farrell replied this is a Travel Organization that we run in the Town of Monroe.

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Discussion

MOTION was made by Trustee Medina to approve the Field for Fastpitch due to extenuating circumstances.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor stated we will need the insurance updated to name the Village of Harriman as an additional insured and telephone numbers and email addresses of coaches so we can get a hold of someone.

Mr. Farrell replied I will get it to you tomorrow.

#2 MAPLE AVENUE

Mayor asked did you receive anything from Andersen regarding the documents we need to go out and request quotes for the demolition.

Attorney Darwin replied one is, they were going to apply to the State for the prevailing wage schedules which need to be a part of that. They sent me a form for an RFP which is different than an RFQ for quotes. So, I want to modify what they sent me because the RFP request for proposals isn't really appropriate for sending out a request for quotes. I will adapt some of what they sent me, modify it and put together an RFQ that could go out with whatever documents that we are going to include with that, the prevailing wage schedule and the scope of work. I should be able to put that together within the next few days and then of course SEQRA has to be done before you approve a contract.

Mayor stated we can have SEQRA ready for the next meeting and in the meantime if the documents are ready, we can go out for quotes and move it along.

Attorney Darwin responded they did confirm that the cost is probably not going to exceed \$35,000.00 threshold so it will be qualified for quotes as oppose to bidding.

RESOLUTION #8 2019

Mayor read:

Resolution of the Village of Harriman in support of upgrading Route 17 in Orange and Sullivan Counties
Whereas, the Mid-Hudson Region is achieving economic and population growth due to its proximity to New York City and other states as well as being home to attractive communities with a high quality of life.

Whereas, the Region has an immediate requirement for infrastructure investments to allow economic development to continue and maintain the Region's ability to attract jobs and preserve its quality of life for its citizens.

Whereas, In May of 2013, the New York State Department of Transportation (NYSDOT) issued a study (the Route 17 Transportation Corridor Study) that recommended a new General Use Third Lane be developed along the Route 17 Corridor and found that "additional transportation capacity is needed to address existing the projected levels of congestion in the corridor, provide for enhanced mobility, and allow for future economic growth in both Sullivan and Orange Counties."

Whereas, while the improvements underway at Interchange 131 near Woodbury Common, and the proposed improvements to accommodate LEGOLAND are welcome and necessary, they will not address the existing and worsening traffic issues along the Corridor.

Whereas, investments along the Route 17 Corridor are consistent with smart growth principles and the 2011 report issued by the Open Space Institute (Private Lands, Public Benefits) which found that Sullivan

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County has the greatest percentage of preferred growth area in the Catskills, “which is largely concentrated in the center of the County and coincides with significant, established infrastructure.”

Whereas, the full conversion of Route 17 to interstate standards (I-86) was previously scheduled to be completed by 2009, but that has not occurred in many of the eastern sections of Route 17. Major upgrades to Route 17 need to be implemented to meet Interstate standards.

Whereas, as part of the 2018-19 New York State Budget, the New York State Department of Transportation has committed to “provide up to \$5 million to advance environmental and design activities related to the construction of a third travel lane along the Route 17 Corridor in Orange and Sullivan Counties.”

Whereas, the New York State Department of Transportation recently selected a consultant to conduct a Planning and Environmental Linkage Study (PEL) as the next step in the process leading to the implementation of the recommendations from the Corridor Study, providing locations of priority and conducting environmental assessments and preliminary engineering.

Whereas, the current estimate of the cost of implementing the Corridor Study is approximately \$500 million.

Whereas, the Mid-Hudson Valley Region needs to continue to grow and attract businesses and jobs, and the 2013 NYSDOT Study as documented the requirements of the Route 17 Corridor.

Now, Therefore, it is hereby Resolved, that we, the Village of Harriman: Strongly support efforts to improve the Route 17 Corridor and encourages the New York State Department of Transportation to begin as soon as possible the environmental processes necessary to advance the construction of a third lane along the Route 17 Corridor consistent with Interstate standards.

Be it further resolved that \$500 million in Capital Funding to make these important investments along the Route 17 Corridor be included in the State’s and Nation’s Infrastructure Programs so that the necessary projects to modernize Route 17 can commence as soon as possible.

MOTION was made by Trustee Medina to approve Resolution #8 the Support of Upgrading Route 17 in Orange and Sullivan Counties.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor stated it will be sent to the DOT, State Officials and Orange County Association of Towns, Villages and Cities.

ACCESSORY APARTMENT CODE

Mayor stated we have been working on the Accessory Apartment Code and it is almost at a point where it is ready to be sent to the Planning Board for their review. At this time, we can schedule a public hearing for the next meeting.

MOTION was made by Trustee Farrell to approve scheduling a Public Hearing for October 8th at 7:20pm.

SECOND was made by Trustee Medina

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

GENERATOR SERVICE AGREEMENT

Mayor stated this is for the generators in the Village. It is a total of \$3,388.05 which is only \$47.50 higher than last year.

MOTION was made by Trustee Daly to approve the Generator Service Maintenance Agreement for \$3,388.05.

SECOND was made by Trustee Medina

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AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor continued this is for an annual service and one inspection a year.

TRAINING REQUEST

Mayor stated we have a training request from the Building Inspector. It is the Annual New York State Building Officials Conference and the Local Tri-County Building Inspectors Conference in Rye Brook from September 26 – 27, one-night hotel room and meal expenditure at \$237.50 which is in his budget.

MOTION was made by Trustee Farrell to approve the Building Inspectors Training Request for a cost of \$237.50 and meal expenditure.

SECOND was made by Trustee Daly

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor continued stating that he is looking to change his hours back to 8-4pm. We had temporarily approved 9-4:30pm.

MOTION was made by Trustee Daly to approve changing the Building Inspectors hours back to 8-4pm.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor stated we will have it posted on the Website, so people know what they are.

ATTORNEY REPORT

Mayor stated I got your information on Section 136-2j regarding the shut off's. I spoke with the Board and we would like to go with the first one. I spoke with the DPW, so we can also have a public hearing at the next meeting.

MOTION was made by Trustee Daly to approve scheduling a Public Hearing for October 8th at 7:25pm on Local Law #13.

SECOND was made by Trustee Farrell

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

NAY:
NONE

PUBLIC COMMENT –

Jim Kelly – Oxford - stated on the paving of the roads. Is it scheduled to do the paving on Oxford Lane at all?

Mayor replied not this year.

Mr. Kelly asked when is that scheduled?

Mayor replied it is not. We will get to it. They are picking out the roads that are in the worse condition and doing them first.

Mr. Kelly stated I am just reminding you there are a lot of taxpayers in there.

Mayor replied I am very much aware of that.

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Joan Shuart – Church Street – I saw you struggling with allowing them to use the field. It is supposed to be temporary. Monroe Woodbury has a lot of acreage that is not all located in sports complex (Middle School, High School and Central Valley. If it looks like it is going to be a problem in the future someone might want to approach Monroe Woodbury and ask them if they can build additional ball fields. Just a question. They have a lot of acreage and not all of it is being utilized.

Mayor replied good point.

Ms. Shuart stated it could be just this year, but you may be approached again in the Spring and again in the Fall then it is to late for Monroe to do something.

Mayor replied thank you.

MOTION was made by Trustee Daly to Enter into Executive Session for Attorney Client and a Litigation issue.

SECOND was made by Trustee Medina

AYE: Trustee Farrell
Trustee Daly
Trustee Medina

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. and Building Inspector John Hager

MOTION was made by Deputy Mayor Farrell to adjourn Executive Session and return to Regular Meeting at 9:15pm.

SECOND was made by Trustee Daly
ALL IN FAVOR

MOTION was made by Trustee Medina to adjourn Regular meeting at 9:16pm.

SECOND was made by Trustee Daly
ALL IN FAVOR

Respectfully submitted by: _____
Jane Leake, Village Clerk