

VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
April 23, 2013

7:00 P.M. – MOTION FOR EXECUTIVE SESSION PERSONNEL

7:30 P.M. – REGULAR MEETING (TIME APPROXIMATE)

ROLL CALL:

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Lawrence Mosca, Trustee Christine Sacher, Village Clerk Kelly Kearney, and Village Attorney Ben Ostrer of Ostrer & Hoovler.

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

Village Attorney Ben Ostrer stated to let the Minutes reflect that at 7:00 PM

MOTION was made by Trustee Shuart to enter into Executive Session for personnel issues.

SECOND was made by Trustee Sacher.

ALL IN FAVOR.

Present in Executive Session was the Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Lawrence Mosca, Trustee Christine Sacher, Village Attorney Ben Ostrer of Ostrer & Hoovler, Judge Apotheker and Village Justice Wienberg

At this time the Village Clerk Kelly Kearney and Clerk to the Justice Lyn Hall was excused from the meeting.

MOTION was made by Trustee Shuart to end Executive Session and return to the regular meeting at 7:55 PM

SECOND was made by Trustee Sacher.

ALL IN FAVOR

APPROVAL OF MINUTES:

Mayor Welle asked if there were any changes or additions to the minutes of the April 9, 2013 Board Meeting. There being none, the minutes were accepted as written.

INFORMATIONAL ITEMS:

- Upcoming meeting dates:
 - Village Board – May 14, 2013
 - Planning Board Meeting – May 20, 2013
 - Zoning Board of Appeals – May 1, 2013 has been cancelled
- Mayor Welle stated he would like to thank all the vendors and participants who participated in the Monroe Clean Sweep this past Saturday, April 20th. Mayor Welle stated he would also like to thank Police Chief Culver, DPW workers Kenny Gopel and Carl Schaefer and Deputy Mayor Shuart for joining me, there was a lot of people and a lot of garbage was cleaned up along Rte. 17M and other areas this again year.
- Mayor Welle stated the Orange County Dept. of Health is sponsoring a free rabies clinic on Sunday, May 19th 10am to 12pm in the Town of Wallkill. The flyer will be in Village Hall if anyone is interested in further information.

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PARK REQUEST – Cheryl Smith: Mayor Welle stated that Cheryl Smith is requesting use of the pavilion at Mary Harriman Park on August 3, 2013 from 12:00pm to 9:00pm for a family reunion. **MOTION** was made by Trustee Shuart to approve the use of the park as outlined by the Mayor. **SECOND** was made by Trustee Chichester.

AYE: Trustee Shuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

PARK REQUEST – Vivian Corneluis: Mayor Welle stated that Vivian Corneluis is requesting use of the pavilion at Mary Harriman Park on June 2, 2013 from 1:00pm to 4:00pm for a family party. **MOTION** was made by Trustee Shuart to approve the use of the park as outlined by the Mayor. **SECOND** was made by Trustee Chichester.

AYE: Trustee Shuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

WOODBURY PLAZA –

Mr. David Higgins from Lanc & Tully Engineering showed a map of the proposed area. He is representing GHT Woodbury the applicant for a project that is actually in the Village of Woodbury it is located at the intersection of Locey Lane and NYS Route 17. The retail space is 16,000 square feet in size. We have previously come before the Board to inquire about possibly connecting to the Village of Harriman water supply system. We have yet to process a site plan application with the Village of Woodbury Planning Board, we are in the process of this right now but we have conducted some testing of the Village of Harriman's water system. The test results indicated that the flow was stable at 1,250 gpm and the pressure was 62 psi. When an adjoining hydrant was open, with the help of a DPW employee the pressure only dropped to 60 psi. It appears the adequate pressure is available for the proposed project. It is for domestic use and fire flow. We are asking that the Village of Harriman consider allowing an outside user into the water system. Trustee Sacher asked how many retail store will be there, I know you said 16,000 sq. ft. but how many stores? Mr. Mike Walker from GHT Woodbury stated we are showing on the plans right now five retail stores potentially two restaurants on the ends and three retail shops in the center. Mayor Welle stated if we do proceed to go further we will need to use an alternate Village Engineer to look at it from the Village's side since we use Lanc & Tully as the Engineer for the Village so we could not have them do any of the work. Mr. Walker stated he understands. The Mayor stated the Village Board would also require an escrow account posted to pay them. It is nothing personnel. Mr. Walker stated he understands this standard procedure and not a problem. Mayor Welle stated the Village Board will be looking at this information and if there are any further questions tonight I will get back to Mr. Higgins or Mr. Walker as soon as possible to let you know what direction we will be going in or if the Board has come to a determination. Ben Ostrer the Village Attorney then stated the Village has in the past required a Capital Contribution because of the debt services the Village residences have paid and if everything then works out with the Village of Woodbury we would provide you with a Will Serve Letter that if you developed we will reserve capacity to provide to you for a certain amount of time but if you

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don't get through the Woodbury Planning process you would have to return to us to modify the Will Serve Letter. Trustee Chichester asked you stated only two restaurants and since they use more water are you limiting the Plaza to just those two restaurants or could there possibly be 5 restaurants there. Mr. Walker stated it would be limited to two restaurants and only two due to parking requirements. Trustee Sacher asked, would you have irrigation? Mr. Walker replied that we would propose that, however, it would be minimal; we are limited with green space. I would have to get back to you on that. Mayor Welle stated if any other questions come up he will contact either one of them or if the Board has any concerns or thoughts he will get back to them. Mr. Higgins and Mr. Walker thanked the Board.

FIXED ASSET CAPITALIZATION POLICY –

Mayor Welle stated according to the NYS Comptroller's Office we needed to set up a Fixed Asset Capitalization Policy. We need a Motion to accept the policy as written.

MOTION was made by Trustee Chichester to accept the policy as written in the Village of Harriman Fixed Asset Capitalization Policy.

SECOND was made by Trustee Mosca.

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

ANNUAL RE-LEVY –
DELINQUENT WATER ACCOUNTS

Mayor Welle stated we need a Motion to authorize the Village Treasurer to Re-L Levy the delinquent water accounts inside the Village of Harriman and other fees in the total amount of \$4,992.98

MOTION was made by Trustee Chichester to authorize the Village Treasurer to Re-L Levy the delinquent water accounts inside the Village of Harriman and other fees in the total amount of \$4,992.98.

SECOND was made by Trustee Shuart.

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

2013-2014 BUDGET –

Mayor Welle stated a Public Hearing was held there were some questions asked but nothing in writing was submitted to the Board on it. The 2% Tax Cap allowable increase this year was 3.99%. The actual proposed levy increase on the budget before the Board tonight is 1.89% increase in the levy. The Monroe portion on an average \$50,000 assessment is \$88.34 per year. The Woodbury portion on an average \$100,000 assessment is \$34.85 per year. Monroe increase of the taxable value was just over \$100,000 and unfortunately on the Woodbury side there was a decrease of almost 1.3 million. That definitely will affect the tax bills. From the Public Hearing there was a no net effect on the budget rates or the dollar figures but the CHIPS money increased by \$4,964. This was an increase given by the State but it has no net effect on the budget itself. The Board should have a copy of the 2013 – 2014 Budget as of April 11 with an amount raised by taxes \$1,685,496. We need a Motion to approve the Budget.

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MOTION was made by Trustee Chichester to adopt the Budget ending 5/31/14 as outlined by the Mayor.
SECOND was made by Trustee Shuart.

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

PROPERTY ACQUISITION –

Mayor Welle stated we need authorization from the Board for the Mayor to execute the necessary paperwork to complete the purchase of SBL 103-3-3 (6 So. Main St) in the Village of Harriman. The cost shall not exceed \$45,000 plus closing costs and the funds will come from the General Fund unappropriated fund balance.

MOTION was made by Trustee Shuart to authorize the Mayor to execute the necessary paperwork as outlined by the Mayor.

SECOND was made by Trustee Sacher.

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

JUDGE WIENBERG –

Mayor Welle stated this was held in Executive Session.

ZBA ATTORNEY – RESIGNATION

Mayor Welle stated we received a letter from Lisa Felicissimo stating that she will be resigning her position as the Attorney for the Zoning Board of Appeals effective immediately. This is for personal and professional reasons. Mayor Welle stated he is sorry to see her go, she has been with the ZBA for over 20 years. We need a Motion to accept her resignation effective immediately.

MOTION was made by Trustee Chichester to accept her resignation regretfully.

SECOND was made by Trustee Sacher.

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

Mayor Welle stated we need a Motion to authorize an ad to be placed in the newspaper seeking resumes for the position of ZBA Attorney.

MOTION was made by Trustee Shuart to authorize the ad to be placed.

SECOND was made by Trustee Chichester.

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

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REQUEST TREASURER - TRANSFER MONEY

Mayor Welle stated the Treasurer is requesting a transfer of \$30,000 from the Water Un-Appropriated Fund to the F8310.401 in the water operating account for the Harriman Heights Tank work that is being done.

MOTION was made by Trustee Chichester as outlined by memo dated April 23, 2013 from Treasurer Marie Coimbra to approve the transfers.

SECOND was made by Trustee Shuart.

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

ATTORNEY REPORT:

- 6 So. Main St. - we received confirmation closing should be sometime this week.
- Hampton Inn - still insufficient offer, they will get back to us after their attorney speaks with them
- Easements – we have copies of all Harriman Business Park easements.
- NYBIT – Marissa will follow up with Office of Governmental Services
- Backflow – Building Inspector Ron Walker issued tickets Petsmart and Home Goods have Representatives who maintain the reports have been done and sent out. Kimco has no Representative so those violations are being served.

PUBLIC COMMENT:

There were no comments from the public

MOTION was made by Trustee Shuart to enter into Executive Session for client/attorney privilege, personnel issues.

SECOND was made by Trustee Chichester.

ALL IN FAVOR.

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

Executive Session was held with Attorney Ben Ostrer.

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 Sacher and **SECONDED** by Trustee Chichester to adjourn the meeting at 8:55pm.

ALL IN FAVOR.

Respectfully submitted by _____
Kelly Kearney, Village Clerk