

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
July 9, 2013**

6:30 P.M. – MOTION FOR EXECUTIVE SESSION PERSONNEL

7:00 P.M. – AUDIT OF BILLS

7:30 P.M. – REGULAR MEETING

Mayor Welle called the meeting to order at 6:35 PM

Present in Executive Session was the Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Lawrence Mosca, Trustee Christine Sacher, DPW Employee Ronald Krzywicki.

MOTION was made by Trustee Shuart to adjourn to Executive Session for a personnel issue.

SECOND was made by Trustee Chichester.

ALL IN FAVOR.

MOTION was made by Trustee Sacher to end Executive Session at 6:58 PM.

SECOND was made by Trustee Chichester.

ALL IN FAVOR

Mayor Welle stated that the Village Board will be auditing bills now with the regular meeting to follow at 7:30 PM

ROLL CALL:

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Lawrence Mosca, Trustee Christine Sacher, Building Inspector Ronald Walker, DPW Superintendent John Karl, Police Chief Raymond Culver, Village Clerk Kelly Kearney, and Village Attorney Marissa Touhy of Ostrer & Hoovler.

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 June 25, 2013 Board Meeting. There being none, the minutes were accepted as written.

INFORMATIONAL ITEMS:

- Mayor Welle stated that Executive Session was held this evening at 6:30 PM for a personnel issue.
- Mayor Welle stated there are additions to the agenda this evening:
 - 6B Water Account 3381
 - 5A Harriman Heights # 2 Well
 - 5B DPW Training Request
- Upcoming meeting dates:
 - Village Board – August 13, 2013
 - Zoning Board of Appeals – August 21, 2013

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- Bills were audited:

2013	\$ 12,121.12	General Fund
	\$ 10,627.11	Water Fund
	\$ 776.90	Trust & Agency
2014	\$138,343.53	General Fund
	\$ 70,042.00	Water Fund
	\$ 3,598.37	Trust & Agency

- Mayor Welle stated that Grove Street has had what we hope is its final surface treatment.
- Mayor Welle stated that grass was cut by the DPW at three properties. There were health and safety concerns, and with the inability of the Building Inspector to contact the property owners, the record property owners will be billed and probably the bill will be levied onto their taxes.
- Mayor Welle stated in response to a Motion to Dismiss regarding the Town and Village of Woodbury and the Village of Harriman against the Village of Kiryas Joel has been filed.
- Mayor Welle stated that we received the asbestos report for 6 South Main Street and three companies have been contacted for quotes on the removal.
- Mayor Welle stated that the Planning Board and Zoning Board of Appeals still have openings. Anyone interested should submit a letter of intent to the Village Clerk.

DEPARTMENT REPORTS:

DPW – see attached report.

Police Department – see attached report.

Building Department – see attached report.

\$ 854.00	building permits
\$ 0.00	certificates of compliance
\$ 0.00	certificates of occupancy
\$ 300.00	Municipals

PARK REQUEST – Hudson Valley Water Works: Mayor Welle stated that HVWW is requesting use of the pavilion at Mary Harriman Park on August 29, 2013 for a summer seminar.

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-

HARRIMAN HEIGHTS #2 WELL –

Mayor Welle stated that we received a proposal for the Harriman Heights #2 Well to replace the pump from Quackenbush Water Systems Co. in the amount of \$5,028.00. Mayor Welle asked DPW Supt. John Karl is this an emergency situation. DPW Supt. John Karl stated yes it is. Mayor Welle stated then the Village Board needs to declare it as such.

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HARRIMAN HEIGHTS #2 WELL – (cont'd)

MOTION was made by Trustee Stuart to declare this as an emergency situation and to approve the proposal as outlined by the Mayor.

SECOND was made by Trustee Chichester.

Trustee Sacher asked if there is any kind of warranty on this pump. DPW Supt. John Karl stated pumps and motors are one year. Trustee Stuart stated does that include the labor too. DPW Supt. John Karl stated no not labor just material. Trustee Stuart stated this pump went out when John. DPW Supt. John Karl stated last Friday.

AYE: Trustee Stuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

Mayor Welle stated now on the Well seal, I know it has to be completed, but does it have to be done at the same time. DPW Supt. John Karl stated yes it does. Mayor Welle stated that it is a cost of \$1,646.00. This is a condition that has been noted by the Health Department on past inspections, and they have been advised that when we pull the pumps this would be corrected.

MOTION was made by Trustee Chichester to approve the proposal as outlined by the Mayor.

SECOND was made by Trustee Sacher.

AYE: Trustee Stuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

DPW TRAINING REQUEST –

Mayor Welle stated that he received a request today from DPW Supt. John Karl requesting that he and DPW employee Chris Wendt be able to attend the Dig Safety training in the Mary Harriman Park on August 9, 2013.

MOTION was made by Trustee Chichester to approve the request as outlined by the Mayor.

SECOND was made by Trustee Sacher.

AYE: Trustee Stuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

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WATER ACCOUNTS #7321 and #3381 –

Mayor Welle stated that we received two letters questioning the late fees on their water bills a few months ago the Village Board shorten the time frame for the additional delinquent water fees the fees were put into place a few years ago but the number of days we incorrect because the number of days it took to have the late fee put on the water bill the water would have been shut off by that time the late fees would be added onto the bill. 45 days after the billing date the additional late fee goes on, it is a high cost to the Village to maintain all these accounts. On the last water bill that went out there were pink and yellow stickers on the bills depending if you were inside or outside of the Village, because the rates are different. All customers were notified of the change. Also the discontinuance and restoration of service fees have increased to \$50.00 for each instead of the old rate of \$25.00 each.

The first letter we received is for account # 7321 requesting that the late fee of \$105.00 be removed. I asked Jane to pull up their history for the last 18 months which was six water bills and every bill was late.

This request will die for lack of a **MOTION**.

The second letter we received is for account # 3381 requesting that the late fee of \$105.00 be removed. I asked Jane to pull up their history for the last 18 months which was six water bills and five of the six last quarters they were late.

This request will die for lack of a **MOTION**.

PARK REQUEST – HECO #1: Mayor Welle stated that HECO #1 is requesting use of the pavilion at Mary Harriman Park on August 17, 2013 from 8:00 AM to 6:00 PM.

MOTION was made by Trustee Chichester to approve the use of the park as outlined by the Mayor.

SECOND was made by Trustee Sacher.

AYE: Trustee Shuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

PARK REQUEST – Rehoboth New Testament Church: Mayor Welle stated that Rehoboth New Testament Church is requesting use of the pavilion at Mary Harriman Park on July 26, 2013 from 5:00 PM to 7:00 PM for a religious service. Insurance certification has been provided.

MOTION was made by Trustee Sacher to approve the use of the park as outlined by the Mayor.

SECOND was made by Trustee Mosca.

Trustee Chichester said I have a question religious service in the park is there anything from the Harriman Family preventing that. Mayor Welle stated not to my knowledge just advertising.

AYE: Trustee Shuart
Trustee Sacher
Trustee Chichester
Trustee Mosca

NAY: -0-

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PARK REQUEST – Zenaida Cruz: Mayor Welle stated that Zenaida Cruz is requesting use of the pavilion at Mary Harriman Park on July 20, 2013 from 11:00 AM to 9:00 PM for a birthday party.
MOTION was made by Trustee Chichester to approve the use of the park as outlined by the Mayor.
SECOND was made by Trustee Mosca.

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

PARK REQUEST – Laura A. Castaldo: Mayor Welle stated that Laura A. Castaldo is requesting use of the pavilion at Mary Harriman Park on August 24, 2013 from 2:00 PM to Dusk for a party.
MOTION was made by Trustee Chichester to approve the use of the park as outlined by the Mayor.
SECOND was made by Trustee Mosca.

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

PARK REQUEST – Robert E. Martin: Mayor Welle stated that Robert E. Martin is requesting use of the pavilion at Mary Harriman Park on July 27, 2013 from 12:00 PM to Dusk for a 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-

DELINQUENT WATER ACCOUNTS:

The Notices have been sent out to the people as per the code. We need authorization from the Board to turn off those water services to those accounts that are still not paid on July 9, 2013. Water shut offs will be Wednesday, July 10, 2013.

MOTION was made by Trustee Shuart to authorize these shut offs if payment is not received.

SECOND was made by Trustee Chichester.

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

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POLICE CHIEF REQUEST – TRAINING

Mayor Welle stated that the Police Chief is requesting to send Sgt. Cruz to the Impact Training Conference September 16 to September 18, 2013 at a cost not to exceed \$300.00.

MOTION was made by Trustee Chichester to approve the request as outlined by the Mayor.

SECOND was made by Trustee Mosca.

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

ARDEN FORREST EASEMENTS –

Mayor Welle stated that we have been trying to get all the necessary paperwork needed to install the new water tank. We had an appraisal done of the property and at this point after meeting with them it has been agreed to the assessment or the appraisal of \$3558. And there will also be some paving restoration work that will needed to be done after the work is done. I will be meeting with Marissa or Ben to make up an agreement and then bring it back to the Village Board for final approval. Mayor Welle stated that we need a **MOTION** to approve the \$3558. as payment for the easement.

MOTION was made by Trustee Chichester to approve the \$3558. for payment for the easement as outlined by the Mayor.

SECOND was made by Trustee Mosca.

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

LETTER OF RETIREMENT –

Mayor Welle stated that he has received a letter to the Board from the Chief to advise us of his intention to retire effective July 24, 2013. Mayor Welle read the letter from the Chief:

Dear Board Members, I am writing to advise you of my intention to retire effective July 24, 2013. I wish to thank you for giving me the opportunity to be the Chief of police. I hope that I have lived up to your expectations. Since my appointment I have strived to move this department ahead and bring pride and professionalism back to the Harriman Police Department. I believe that we have attained this goal, but it certainly would not have been possible without the total support that the board has given the department and to me. I am also confident that the department will continue on this path for years to come. Signed Sincerely R. Culver Chief of Police

Mayor Welle stated we need Board approval and due to lack of a **MOTION**, it's denied!!

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LETTER OF RETIREMENT – (cont'd)

MOTION was made by Trustee Chichester very reluctantly to accept the Chiefs letter of retirement as outlined by the Mayor.

SECOND was made by Trustee Mosca

The Village Board thanked him and said he will be missed!

AYE: Trustee Chichester
Trustee Mosca
Trustee Sacher

NAY: Trustee Shuart

Mayor Welle then stated Ray has been with the Village of Harriman Police Department since 1995. Ray was hired as an officer, promoted to Sergeant in 2007 and in 2009 Ray was promoted to Chief. During his tenure as Chief Ray has moved the department in a direction which has resulted in a number of positive results with the NYS Accreditation being the biggest and a very notable accomplishment. Upon his retirement, Ray is leaving the Department in many ways much better than when he was promoted to Chief. I wish Ray and Patty a long and enjoyable retirement in Florida. I'm sure that the first cold snap or snow storm we see this year, we will be getting weather reports from Ray letting us know how bad the winter is in Florida. Ray I wish you the best and thank you for all that you have done for the Village of Harriman.

The Mayor then asked for Ray to come on up , the Mayor then presented Chief Culver with a plaque that states Presented to Chief Raymond Culver Whereas, Chief Raymond Culver is retiring from the Village of Harriman Police Department and is being awarded this recognition as a testimonial of his loyal and dedicated service; and Whereas, under his leadership, the Village of Harriman Police Department attained New York State Accreditation; and Whereas, Ray's dedicated interest and devotion to duty has had a valuable effect on the efficiency and morale of his fellow officers, and we wish to extend to him our sincere appreciation for his outstanding leadership and performance of duty: Now, Therefore we extend to Ray and his family best wishes for a long and happy retirement. Mayor Stephen H. Welle, Deputy Mayor Edward B. Shuart Trustees: Christine Sacher, G. Bruce Chichester, Lawrence Mosca Presented July 9, 2013

There was a round of applause.

ATTORNEY REPORT:

- Easements – Marissa stated she reached out to DiMeco's attorney again
- Monroe Annexation & Lawsuit - We have written a letter to their attorney, confirming everything that we want and we are waiting for a response. We gave them two weeks to respond and we will cc the Village on it.
- Capital Reserve Historical Account - Mayor stated I see we will have to do SEQR on it, the Mayor read The Village of Harriman proposes to create an account entitled "Capital Historical Preservation Reserve Fund. Whereas, the Village Board of Trustees has established itself as lead agency for this legislative action and, Whereas, it was determined that there are no other involved or interested agencies and therefore pursuant to 6NYCRR Part 617 the Village Board has declared itself Lead Agency for the review of this action, and Whereas, the establishment of

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ATTORNEY REPORT: (cont'd)

the Capital Historical Preservation Reserve Fund will provide for maintenance, protection and upgrades to the historical sites and monuments in the Village of Harriman. Now therefore, be it resolved, that the Village Board of Trustees does hereby determine that the establishment of the "Capital Historical Reserve Fund" is in the best interests of the Village and will not result in any negative impact (s) upon the environment. This Resolution shall take effect immediately.

MOTION was made by Trustee Chichester to do SEQR as outlined by the Mayor.

SECOND was made by Trustee Shuart.

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

Mayor Welle then stated we will schedule a Public Hearing to make this Resolution on August 13, 2013 at 7:15 PM

MOTION was made by Trustee Shuart to schedule the Public Hearing as outlined by the Mayor.

SECOND was made by Trustee Chichester.

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

PUBLIC COMMENT:

There were no comments from the public

A **MOTION** was made by Trustee Shuart and **SECONDED** by Trustee Chichester to adjourn the meeting at 7:53pm.

ALL IN FAVOR.

The Mayor then invited everyone to stay and have coffee and cake with the Chief.

Respectfully submitted by _____
Kelly Kearney, Village Clerk