# **August 12, 2020 MEETING and PUBLIC HEARING OF THE BOARD OF TRUSTEES**

# **CALL TO ORDER**

Mayor Harter will call the meeting to order with the Pledge to the Flag at 7:30 p.m.

Board Members Present: Mayor Harter, Trustee Fuller, Trustee Barczak, Trustee Slattery, Trustee Olejniczak

Board Members Absent: none

Also Present: Clerk Wierzbicki, Treasurer Geller, Attorney Cassidy

Approximate Number in Audience: **20**

**A moment of silence will be observed for the recent passing of Zoning Board member Robert “Biff”Schreibeis**

1. **PUBLIC HEARING continuation of Introductory Local Law 5 of 2020**

Omar Abrahim -Village resident expressed his displeasure in the fees for residents of the Village of Florida

No other correspondence was received

Motion made by Trustee Barczak seconded by Trustee Olejniczak to close the Public Hearing at 7:35 PM.

**VOTE:** **YES** \_\_5\_\_\_ **NO** \_0\_\_\_\_

1. **PUBLIC HEARING continuation of Introductory Local Law 6 of 2020**

An email was received in concern for the traffic safety and speeding by resident Robert Undersinger

A letter in support of this project by Assemblyman Karl Brabanec was received.

A letter was received by OC Planning

A letter by the Orange County Partnership in support was received

The Village of Florida Police Department sent documentation regarding the current amount of Police, Fire and or EMS calls from the Florida Gardens multi-residential complex.

Sarah Glowaczewski sent an email in support of Local Law 6

Multiple emails were read from Village Park residents voicing their concern on this project to Mayor Harter

There was a motion to go into Executive Session for Attorney Client Meeting at 8:20pm by Trustee Fuller seconded by Trustee Barczak

**VOTE: YES** \_\_5\_\_\_ **NO** \_\_0\_\_\_

There was a motion to return from Executive Session Meeting at 8:40pm by Trustee Fuller seconded by Trustee Barczak

**VOTE: YES** \_5\_\_\_\_ **NO** \_\_0\_\_\_

Motion made by Trustee Fuller seconded by Trustee Olejniczak to close the Public Hearing at 9:00 PM. Comments concerns will be received until 8/26/20

**VOTE: YES** \_5\_\_\_\_ **NO** \_\_0\_\_\_

**III. MINUTES**

 Motion made by Trustee Fuller seconded by Trustee Slattery to approve

The minutes of the July 8th General Meeting

##### **VOTE: YES** \_5\_\_\_\_ **NO** \_0\_\_\_\_

The minutes of the July 14th Special Meeting Trustee Fuller seconded by Trustee Barczak

**VOTE: YES** \_\_5\_\_\_ **NO** \_\_\_0\_\_

The minutes July 30th Special Meeting Motion by Trustee Fuller seconded by Trustee Olejniczak

**VOTE: YES** \_\_5\_\_\_ **NO** \_\_\_0\_\_

The minutes August 5th Special Meeting Motion by Trustee Olejniczak seconded by Trustee Barczak

**VOTE: YES** \_\_5\_\_\_ **NO** \_\_\_0\_\_

##### **IV. FINANCIAL REPORTS**

1. **Treasurer’s Report**

Motion made by Trustee Barczak seconded by Trustee Fuller to accept the Treasurer’s report as submitted.

 **VOTE: YES** \_5\_\_\_\_ **NO** \_\_0\_\_\_

 **2. Payment of Vouchers**

 Motion made by Trustee Barczak seconded by Trustee Olejniczak to approve payment of the vouchers as audited.

 **VOTE: YES 5**\_\_\_\_ **NO** \_\_0\_\_\_

1. **Transfers**

Motion made by Trustee Slattery seconded by Trustee Olejniczak to approve transfers as presented

 **VOTE: YES** \_\_5\_\_ **NO** \_\_0\_\_

|  |  |  |
| --- | --- | --- |
| **Transfers for Fiscal Year 2021 - August** |  |  |
|  |  |  |
| **General Fund Expenditures** |  |  |
| **Account Description** | **From** | **To** |
| Youth Recreation Salaries | 400.00  |  |
| Unallocated Insurance Expenditures |  | 400.00  |

# **V. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS**

1. **Village Elections are still planned for September 15th  from 12-9 pm. (Absentee ballot applications available at Village Hall)**
2. **Savad Churgin sent a letter regarding DM Property Group LLC regarding Real Property Tax law.**
3. **Orange and Rockland sent a letter regarding tree contractors working in the area.**
4. **Orange County Department of Planning sent a letter for response to LL6 of 2020.**
5. **Judge Richard Shuback sent a letter regarding his resignation.**
6. **Judge Peter Barlett and Judge Stephen Hunter have been appointed acting Court Justice**
7. **NYCOM sent a notice regarding meeting being held during COVID.**
8. **Rick Hubner sent a letter stating his retirement on August 31st.**
9. **NYS Court system sent a notice requesting a copy of the audit of the court records.**
10. **Orange County Partnership sent a letter supporting the zoning of Village Drive.**
11. **Orange County Commissioner of Health sent a notice regarding vaccinations for COVID.**
12. **Mayor Daniel Harter responded to Mr. Dazi regarding his letter he submitted.**
13. **NYS liquor license submitted a license renewal for Kawa Japanese Fusion.**
14. **Jorge Ferreira sent a letter regarding zone change for a building purchased on Randall St.**
15. **Build it Right, Build it Union sent a letter regarding the Danskammer project.**
16. **Fusco Engineering sent an addendum to the Village Drive project.**
17. **Cablevision sent a franchise fee report for the 1st and 2nd quarters.**
18. **Brian Dunlevy sent a letter stating that there will be no Tour de Goshen this year.**
19. **Orange County Department of Health submitted a 3rd quarter letter of DBP violation.**
20. **Al Fusco of Fusco Engineering sent a letter of recommendation for the sewer line repair on Village Drive.**

**VI. REPORTS OF THE TRUSTEES**

1**.** Thomas Fuller – Police, Justice, Emergency Management

 2. Craig Olejniczak – Youth Recreation, Animal Control, Building & Planning

 3. Brian Slattery – DPW and Parks, Buildings and Grounds

 4. John Barczak – Sewer and Water

**VII. PUBLIC COMMENT – AGENDA ITEMS ONLY**

This opportunity is provided for members of the audience to comment on **any item listed** on the agenda. Please address the Board and limit your comments to five minutes.

**VIII. UNFINISHED BUSINESS**

1. **Local Law 5**

**INTRODUCTORY LOCAL LAW 5 OF 2020**

INTRODUCTORY LOCAL LAW 5 OF 2020

A LOCAL LAW TO AMEND CHAPTER 87, ENTITLED PARKS

**BE IT ENACTED BY THE VILLAGE BOARD OF TRUSTEES as follows:**

**Section 1.        Legislative Intent.**

It is the intent of the Village Board of Trustees to regulate the use of the Village’s public park at Glenmere Park to ensure the health, safety and welfare of Village residents as well as protect the park environment.

**Section 2.        Chapter 87, entitled “Parks” shall be amended to read as follows:**

**§ 87-1 Use of Glenmere Lake Park.**

The use Glenmere Lake Park shall be open to all individuals between the hours of 7 a.m. to 9 p.m. weekdays and 8 a.m. to 9 p.m. on weekends subject to the prohibitions and regulations contained in this chapter.  Park hours may be altered by resolution of the Village Board of Trustees or, in the case of an emergency, the chief of police.

**§ 87-2 Permits.**

            A permit shall be effective May 1st through April 30th of the following year.

            A permit shall be required for the following:

1. Parking at Glenmere Lake Park.
2. Use of the Boat Launch at Glenmere Lake Park.
3. Walking of Dog(s)
4. Use of a park outside of normal hours.
5. Use of the pavilion at Glenmere Lake Park
6. Use of ball fields and refreshment stand at Walter R. Sturr Memorial Park
7. Use of any park facilities by groups in excess of 10 individuals.
8. Camping

Applications for seasonal permits for parking, use of the boat launch and walking of dogs may be obtained by the Village Clerk.

Application for reservations for group events may be secured from the Village Clerk.  The application shall be filed by a responsible person, who represents the group requesting the use of the park.  Applications shall be processed in order they are received by the Village Clerk.  The permit granted entitles the holder to only that portion of the park or building so stated on the permit.

The Application fees for such permits shall be established by the Village Board of Trustees pursuant to Chapter 8 of the Village of Florida Code, entitled “Fees.”

**§ 87-3 Prohibitions.**

The following shall be prohibited in Village Parks:

1. Campfires and fires outside of designated areas
2. Use of glass bottles and glass receptacles
3. Possession of alcoholic beverages
4. Use or possession of snowmobiles, and all-terrain vehicles (ATVs).
5. Camping in Village parks without permission
6. Hunting
7. Swimming in Glenmere Lake
8. Use of gasoline or diesel motors on or within 25 of Glenmere Lake.
9. Horseback riding

**§ 87-4 Dogs**

All dogs must be licensed wearing appropriate identification (CAT).  Dogs must be leashed while in Village parks unless permission is given in writing to organizations using the park for the training and showing of dogs or within any designated dog park enclosure.  Dog owners shall be responsible for the conduct of his/her dog and must pick up and properly dispose of dog feces.  Dogs within the park shall also be subject to regulations contained within Chapter 55 of the Village of Florida Code, entitled, “Dogs and other Animals.”

**§ 87-5 Camping**

No person shall bring into any Village park or be in possession of any tents, nor shall they camp, start or maintain any type of fire without a special issued by the Village of Florida.

**§ 87-6 Trash**

All persons using any Village park shall be responsible for the removal and clean-up of any trash or debris.  All such trash or debris shall be deposited in designated receptacles provided or removed from park property.

**§ 87-7 Vehicles**

1. Vehicles are prohibited on all park property except on designated roadways and parking lots.
2. Overnight parking of vehicles on park property is prohibited.
3. The parking of vehicles, boats or trailers between the shoulder and the roadway at Glenmere Lake is always prohibited.
4. The parking of vehicles, boats, or trailers on the roadways adjoining the park at Glenmere or the Village reservoir (Glenmere Lake) is always prohibited.
5. All vehicles and boats shall display a season permit issued pursuant to § 87-2.

**§ 87-8 Boat Storage**

Leaving boats unattended or stored at Glenmere Lake Park is prohibited.  Owners of such boats violating this provision are subject to the immediate removal of such boats without notice, the cost of storage of such boats and the penalties as provided in § 87-8.

**§ 87-9 Penalties for Offense**

1. Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable by a fine not exceeding $ 250.00 or by imprisonment for a term not exceeding 15 days, or both such fine and imprisonment.  [Tiered punishment].  The continuation of an offense against any provision of this article shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.
2. Should any person or group violate the provisions of this chapter, in addition to the penalties set forth in Subsection A above, the permit for said person or group may be revoked by the Village Board of Trustees, and said person or persons will be asked to leave the park premises and said persons or group may be barred from use of the park for a period of time to be determined by the Village Board.

**Section 3.        Authority.**

            This local law is adopted pursuant to section 10 of the Statute of Local Governments which provides local governments the power “to adopt, amend and repeal ordinances, resolutions and rules and regulations in the exercise of its functions, powers and duties”.

**Section 4.        Severability.**

            If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof , but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5.        Effective Date.**

***This local law shall take effect immediately upon filing with the Secretary of State.***

***Motion to Table by Trustee Slattery second by- Trustee Fuller***

**VOTE YES 5 NO 0**

**Tabled**

1. **Local Law 6**

**INTRODUCTORY LOCAL LAW 6 OF 2020**

1. **A Local Law to Amend the Zoning Law to Expand the General Commercial Zone**

WHEREAS, the Village Board of Trustees has received a petition to amend the zoning code to add two parcels to the General Commercial Zone in the vicinity of South Main Street and Village Drive and modify the General Commercial Zone to allow for mixed-use commercial and residential apartments by of Robert Knebel of Village Drive Commons; and

WHEREAS the Village Board of Trustees has reviewed and considered the petition and determines it is desirable to create a limited expansion of the General Commercial zone in that area where other commercial uses have existed for years; and

WHEREAS allowing properly scaled mixed-use commercial/residential development in the General Commercial zone is consistent with the existing Village character; and

WHEREAS, the Village Attorney has reviewed the draft text changes and prepared a draft Introductory Local Law; and

NOW THEREFORE BE IT RESOLVED, that Introductory Local Law 6 of 2020 entitled, “A Local Law to Amend the Zoning Law to expand the General Commercial Zoning District” is hereby introduced before the Village Board of Trustees of the Village of Florida;

BE IT FURTHER RESOLVED that said introductory local law shall be laid upon the desk of each member of the Board; and

BE IT FURTHER RESOLVED that the Village Board of Trustees hereby declares itself to be Lead Agency pursuant to the State Environmental Quality Review Act (SEQR) and further declares that this is a Type I action pursuant to SEQR (6 NYCRR 617.4(b)).

***Motion to Table by Trustee Slattery second by- Trustee Fuller***

**VOTE YES 5 NO 0**

**IX. NEW BUSINESS**

1. **2020-2021 Florida Union Free School District Police Contract renewal**

**Motion made by Trustee Slattery seconded by Trustee Barczak to approve contract renewal in the amount of $74,000.00 for the school year 2020-2021 beginning from July 1, 2020 through June 30, 2021 to include two officers**

**VOTE YES 5 NO 0**

1. **TAM Proposal**

**Motion made by Trustee Slattery seconded by Trustee Barczak to approve proposal presented in the amount of $33,160.00 for installation and materials of DAF PILOT study**

**VOTE YES 5 NO 0**

1. **Water Truck State Bid**

**Motion to approve purchase of new 2020 Dodge 5500 on NYS OGS State Bid in the amount not to exceed $60,000.00 from Water fund from Robert Green Truck Division Route 17 East Exit 107 Rock Hill, NY 12775. Motion by Trustee Barczak second by Trustee Olejniczak**

 **VOTE YES 5 NO 0**

1. **Meeting Schedule**

 August 19, 2020 6:30 PM Work Session

 September 2, 2020 6:30 PM Work Session

 September 9, 2020 7:15 Vouchers 7:30 Meeting

 September 15,2020 Village Election 12-9pm Senior Center Work Session 6:30 PM

 September 21,2020 Reorg(tentative)7:00pm

1. **PUBLIC COMMENT**

Jeanne Uzenski would like to say that the DPW did a great job with the clean up after the last storm

Greg Kimiecik asked about the closure of the Jayne Street bridge and when it would be complete?

Trustee Olejniczak stated that it is a Town of Warwick project out of our control upward in the $250k amount that they don’t have the funds earmarked for. It could take 2+years.

Trustee Olejniczak offered his condolences to the family of Robert “Biff” Schreibeis, a pillar in the community, he will be greatly missed.

1. **ADJOURNMENT**

Motion made by Trustee Fuller seconded by Trustee Barczak to adjourn the meeting at 9:30 PM.

**VOTE: YES 5 NO 0**