# **May 13, 2020 REGULAR MEETING 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 Olejniczak, Trustee Slattery

Board Members Absent: none

Also, Present: Clerk Wierzbicki, Treasurer Weaver, Attorney Cassidy, Al Fusco

Approximate Number in Audience: 2

**II. PUBLIC HEARING**

**Local Law to Repeal Chapter 25 Entitled Salaries**

**Motion to open Public Hearing at 7:45**

**Trustee Fuller seconded by Trustee Barczak**

**5 Yes 0 No**

**Clerk will read Affidavit of Publication**

**No correspondence was received**

**Motion to close Public Hearing**

**Trustee Olejniczak seconded by Trustee Slattery**

**5 Yes 0 No**

**MINUTES**

Motion made by Trustee Fuller seconded by Trustee Barczak to approve the minutes of the April 8, 2020 meeting. **Subject to correction**

##### **VOTE: YES 5 NO 0**

Motion made by Trustee Fuller seconded by Trustee Olejniczak to approve the minutes of the General Meeting, April 15th Budget Meeting,

##### **VOTE: YES 5 NO 0**

Motion made by Trustee Fuller seconded by Trustee Olejniczak to approve the minutes of the April 29, 2020 Budget Meeting.

##### **VOTE: YES 5 NO 0**

##### **III. FINANCIAL REPORTS**

1. **Treasurer’s Report**

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

VOTE: YES 5 NO 0

**2. Payment of Vouchers**

Motion made by Trustee Fuller seconded by Trustee Olejniczak\_\_\_ to approve payment of the vouchers as audited.

**VOTE: YES NO**

1. **Transfers**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| **General Fund Expenditures** |  |  |
| **Account Description** | **From** | **To** |
| Treasurer Travel and Conference | 750.00 |  |
| Judicial Telephone and Internet |  | 750.00 |
| Mayor Travel and Conference | 600.00 |  |
| Assessor Contract Services |  | 600.00 |
|  |  |  |
| Office Renovations | 2,000.00 |  |
| Office Telephone and Internet |  | 1,000.00 |
| Building Inspector Contract Services |  | 1,000.00 |
|  |  |  |
| Garage Maintenance | 1,500.00 |  |
| Garage Telephone and Internet |  | 1,500.00 |
|  |  |  |
| Police Uniforms | 1,500.00 |  |
| Police Heat and Electric |  | 1,500.00 |
|  |  |  |
| Sanitation Equipment | 3,000.00 |  |
| Sanitation Fuel – Diesel |  | 3,000.00 |
|  |  |  |
| Employee State Retirement | 1,500.00 |  |
| Medical Insurance Buy-out |  | 1,500.00 |
| **Water Fund Expenditures** |  |  |
| **Account Description** | **From** | **To** |
| Plant Maintenance and Repairs | 15,000.00 |  |
| Plant Testing |  | 12,000.00 |
| Plant Heat and Electric |  | 3,000 |
|  |  |  |
| Distribution Vehicle Expense | 2,000 |  |
| Distribution Vehicle Fuel – Diesel |  | 2,000 |
| **Sewer Fund Expenditures** |  |  |
| **Account Description** |  |  |
| Sewer Plant Repairs | 6,5000.00 |  |
| Sewer Plant Professional Fees |  | 5,000.00 |
| Sewer Plant Telephone and internet |  | 1,500.00 |

Motion made by Trustee Slattery seconded by Trustee Fuller to approve transfers as presented.

**VOTE: YES 5 NO 0**

**IV. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS**

1. **William Pillmeier sent his request for reappointment to the ZBA Board.**
2. **Orange County Sales Tax check was received in the amount of $118,105.46 for the 1st q 2020.**
3. **Altice sent in 1st q Franchise Fee in the amount of $14,247.00**
4. **Altice sent notice of new programming changes.**
5. **NYS Municipal Comp Alliance issued an assessment renewal for Workmen’s Compensation with a 15 percent decrease.**
6. **Several letters were received from residents on Holly Avenue regarding the cars parking at the end of road.**
7. **NY Rural Water sent a 10-year member certificate.**
8. **TAM Enterprises sent a quote for repairs to the Sewer plant.**
9. **GHD forwarded the minutes from the water plant design meeting via email.**
10. **The American Legion Post # 1250 sent a letter announcing the decision to cancel their annual Memorial Day Parade.**

**V. REPORTS OF THE TRUSTEES**

1**.** Thomas Fuller – Police, Justice, Emergency Management ***There were no arrests in the month of April***

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

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

4. John Barczak – Sewer and Water

**VI. 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.

***There were no Public Comments***

**VII. UNFINISHED BUSINESS**

1. **DPW Union Contract 2020-2023**

**Motion to approve and authorize the Mayor to sign the DPW Union Contract for May 31st 2020 – June 1, 2023 made by Trustee Slattery seconded by Trustee Olejniczak .**

**VOTE: YES 5 NO 0**

1. **Sewer Upgrades**

**Price quote received by Tam Enterprises Inc Goshen, NY for improvements to the clarifier and aeration chamber. Proposal based upon Orange County New York approved bid.**

**Motion approved by Trustee Barczak seconded by Trustee Slattery to approve quote from Tam Enterprises Inc in the amount of $ 84,820.00. Contract to be reviewed and approved by Village Attorney.**

**VOTE: YES 5 NO 0**

1. **Introductory Local Law # 4 of 2020 – A LOCAL LAW TO DESIGNATE VILLAGE INTERSECTIONS AS STOP INTERSECTIONS – Glenmere and Rose**

whereas, the Village of Florida desires to designate the intersection of Glenmere Avenue and Rose Street and the intersection of Glenmere Avenue and Werner as three-way stop intersections for purposes of slowing traffic down and for the protection of the health, safety and welfare of Village Residents;

WHEREAS, the Village Board of Trustees Introduced Introductory Local Law # 4 of 2020, entitled A LOCAL LAW TO DESIGNATE VILLAGE INTERSECTIONS AS STOP INTERSECTIONS, on February 12, 2020;

WHEREAS, a duly noticed public hearing was held on April 15, 2020 and held open to receive written comment for a period of two weeks; and

WHEREAS, no additional public comment was received.

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law # 4 of 2020 as Local Law 5 of 2020

BE IT FURTHER RESOLVED that said law shall be filed with the Secretary of State and upon such filing, the Department of Public works shall cause such stop signs to be installed.

Motion by: Trustee Fuller

Second by: Trustee Barczak

Ayes: 5

Noes: 0

Abstentions: 0

**VIII. NEW BUSINESS**

1. **Introductory Local 3 of 2020 – to Repeal Chapter 25, Salaries.**

WHEREAS, Chapter 25 of the Village of Florida Code establishes specific salaries for the Mayor, Deputy Mayor and Trustees; and

WHEREAS, New York State Village Law authorizes the Village to set such salaries as part of the annual budget process which is subject to public notice and public hearing;

WHEREAS, the Village Board finds that setting salaries by local law is duplicative and wasteful of taxpayer funds;

WHEREAS, the Village Board introduced Introductory Local Law 3 of 2020 on February 12, 2020;

WHEREAS, a duly noticed public hearing was held on May 13, 2020;

NOW THEREFORE BE IT RESOLVED, that Introductory Local Law # 3 of 2020 entitled “A LOCAL LAW TO REPEAL CHAPTER 25, ENTITLED SALARIES AND COMPENSATION” is hereby adopted as Local Law 6 of 2020;

BE IT FURTHER RESOLVED that the Village Clerk shall file said local law with the Secretary of State.

**Motion made by Trustee Fuller seconded by Trustee Olejniczak**

**VOTE: YES 5 NO 0**

1. **Motion made by Trustee Fuller seconded by Trustee Barczak to approve the reappointment of William Pillmeier Jr. to the Zoning Board of Appeals.**

**VOTE: YES 5 NO 0**

1. **Memorial Day Parade**

**Unfortunately due to the Covid 19 Virus, the American Legion has decided to cancel their annual parade. The uncertainty of the virus was too much of a risk to the public. Their will be a short private ceremony at the monument.**

1. **2020 Tax Warrant**

Motion made by Trustee Slattery seconded by Trustee Olejniczak to relevy $ 78,420.80 in sewer rents including penalties, and $114,854.33 in water rents, including penalty, and to issue the following tax warrant to the tax collector:

You are hereby commanded to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated opposite their respective names, being a total of

for the following purposes:

Current Budget 1,600,000.00

Re-levied Sewer Rents 78,420.80

Re-levied Water 114,854.33

Prorated or Ag Tax Levy 286.24

Special Charges(Mowing) 906.84

**Total: $ 1,794,468.21**

You are further commanded to receive and collect such sums without additional charge between the first day of June 2020 and the first day of July 2020 at the Village Clerk’s Office, 33 S. Main St, Florida, NY between the hours of 8:30 AM and 4:00 PM Monday through Friday, except holidays. Thereafter, an additional charge of five percent for the first month or fraction thereof and one percent for each month or fraction thereof until paid.

You are further commanded to file the tax roll in your office on or before the first day of November 2020 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid, and showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

**VOTE: YES 5 NO 0**

1. **NYS Municipal Workers’ Compensation Alliance**

**Motion made by Trustee Olejniczak seconded by Trustee Fuller to approve Mayor Harter to sign the renewal contract for policy period June 1, - May 31 2021.**

**VOTE: YES 5 NO 0**

1. **Employee Furloughs**

WHEREAS, the COVID-19 Pandemic has put unprecedent pressure on the Village, its employees and financial resources;

WHEREAS, the Village of Florida has provided at least two weeks paid sick leave to every employee unable to work due to the COVID 19 pandemic as required by the Families First Coronavirus Response Act;

WHEREAS, the Village is not in a financial position to pay employees who are unable to work either on site or remotely;

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby furloughs all non-police department and non-essential part time employees who do not qualify extended family leave effective April 26, 2020; and

BE IT FURTHER RESOLVED, that all such employees shall be restored to existing rates of pay at the termination of NY Pause for the Mid-Hudson region.

Motion made by Trustee Fuller seconded by Trustee Slattery

VOTE: YES 5 NO 0

1. **Treasurer**

**Motion made by Trustee Olejniczak seconded by Trustee Fuller to accept the resignation of Mark Weaver as Village Treasurer effective June 13, 2020. We wish him well in his new endeavors.**

**VOTE: YES 5 NO 0**

1. **Part Time Clerk**

**Motion made by Trustee Olejniczak seconded by Trustee Slattery to hire Marvin Geller as a part-time Clerk effective immediately at the salary of $ 26,500.00.**

**VOTE: YES 5 NO 0**

1. **Recreation and Swim Program Update**

**Motion made by Trustee Barczak seconded by Trustee Slattery to postpone the Recreation and Swim Program for the FY 2020-21 due to the COVID 19 Pandemic.**

**VOTE: YES 5 NO 0**

1. **Jayne Street Bridge**

**The safety report came back and it was deemed unsafe. It will be closed to all traffic from the Maple Ave entrance beginning June 15th 2020. Residents and the school district will be notified.**

**Motion by Trustee Olejniczak Second by Trustee Slattery**

**VOTE: YES 5 NO 0**

1. **Introductory Local Law 6 of 2020 – 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)).

BE IT FURTHER RESOLVED that a public hearing shall be held on July 8 at 7:30 p.m. or as soon thereafter as may be heard at the Village of Florida, Village Hall, 33 South Main Street, Florida, NY 10921 or in the alternative via video conference as per the executive order of Governor Andrew Cuomo if said executive order is in place. Video conference information shall be available on the Village’s website at least 24 hours in advance of the public hearing.

BE IT FURTHER RESOLVED that the Village Clerk shall cause to be published public notice in the official newspaper at least 10 days before the public hearing as is required by law.

BE IT FURTHER RESOLVED that a copy of said local law shall be sent to the Village Planning Board for review and comment as well as Orange County Department of Planning in accordance with General Municipal Law § 239 et seq.

BE IT FURTHER RESOLVED that the applicant shall post the property in accordance with § 119-35 of the zoning code.

Motion by Trustee Slattery\_\_\_\_\_\_\_\_\_\_\_

Second by :\_Trustee Barczak\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Vote: 5-0

1. **Meeting Schedule**

May 20th, 2020 6:00 PM Work Session

May 27th, 2020 7:00 PM End of Year

June 3th, 2020 6:00 PM Work Session

June 10th, 2020 7:00 PM Meeting

July 1st, 2020 6:00 PM Work Session

1. **PUBLIC COMMENT**

**Bob Scott just wanted to comment about how he was really sad about cancelling the Memorial Day Parade. He didn’t feel comfortable having a large group of people.**

**Trustee Olejniczak asked whether or not we have received Jim Sosler’s ZBA application or not.**

**Mayor Harter has stated that no application has been received but his term will roll over until June if nothing is received by 5/31**

1. **ADJOURNMENT**

Motion made by Trustee Barczak seconded by Trustee Olejniczak to adjourn the meeting at 9:00 PM.

**VOTE: YES 5 NO 0**