

AGENDA, MARCH 11, 2020 REGULAR MEETING OF THE BOARD OF TRUSTEES

I. 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

Board Members Absent: Trustee Slattery

Also Present: Alexa Burchanti, Clerk Wierzbicki, Treasurer Weaver,
Attorney Cassidy, Engineer Fusco, DPW Supervisor Brunswick

Approximate Number in Audience: 9

Motion made by Mayor Harter seconded by Trustee Fuller to open
the public hearing at 7:30 PM

VOTE: YES NO 0 Abs 1

II. PUBLIC HEARING TAX CAP

Public Hearing to consider the adoption of a local law authorizing a
property tax levy in excess of New York State's 2% maximum property
tax cap law.

The affidavit of publication will be read. No correspondence has
been received.

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Florida will hold a
Public Hearing on Introductory Local Law 1 of 2020, on March 11, 2020 at 7:30 PM, or as soon
thereafter as can be heard in Village Hall located at 33 South Main Street, Florida, New York
10921. Said Introductory Local Law 1 of 2020 is a local law to override the tax cap levy
established by General Municipal Law § 3-C.

At the aforesaid time and place, the Board of Trustees of the Village of Florida will hear
comments from any and all interested parties regarding Introductory Local Law 1 of 2020. A
complete copy of said proposed local law is on file at the Village Clerk's Office for inspection
during normal business hours.

Motion made by Trustee Barczak seconded by Trustee Fuller to close the hearing at 7:35 PM

VOTE: YES 4 NO 0 1 Abs

III. MINUTES

Motion made by Trustee Fuller seconded by Trustee Barczak to approve the minutes of the February 12, 2020 Regular meeting.

VOTE: YES 4 NO 0 1 Abs

Motion made by Trustee _____ seconded by Trustee _____ to approve the minutes of the March 4, 2020 Special meeting.

VOTE: YES NO

Tabled until Review

IV. FINANCIAL REPORTS

1. Treasurer's Report

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

VOTE: YES 4 NO 0 1 Abs

2. Payment of Vouchers

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

VOTE: YES 4 NO 0 1 Abs

3. Transfers:

**Transfers for Fiscal Year
2020 - March
General Fund Expenditures**

Account Description

Police Car Expenditures		
Police Telephone and Internet	<u>From</u>	<u>To</u>
	2,000.00	
Highway Sidewalk Repairs		2,000.00
Highway Fuel Tank Maintenance		
Highway Fuel - Gas	15,000.00	
		13,000.00
Special Events Salaries		2,000.00
Zoning Board Salaries		
	1,500.00	
		1,500.00

Water Fund Expenditures

Account Description

Plant Operator Salaries		
Plant Operator Contract Services	<u>From</u>	<u>To</u>
	45,000.00	
Plant Maintenance and Repairs		45,000.00
Water Plant Professional Fees		
Plant Telephone and Internet	20,000.00	
		17,000.00
		3,000.00

Sewer Fund Expenditures

Account Description

Sewer Plant Repairs		
Sewer Plant Sludge Removal	<u>From</u>	<u>To</u>
	30,000.00	
		30,000.00

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

VOTE: YES 4 NO 0 1 Abs

V. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS

- 1. Lareta LLC sent a formal notice of an address change.**
- 2. Orange County Office of the Aging sent an invitation to the 11th Annual Big Wheels March for Meals.**
- 3. Comp Alliance sent the forecasted 2021 Workers Comp Contribution rates, we will have a decrease.**
- 4. OCDOH sent a notice of violation for the September, October, November and December 2019 periods due to low Disinfection By-Products. Notices were sent.**
- 5. ShopRite sent an invitation to a Partners in Caring Celebration at the Warwick store on March 28th at 10:30 AM.**
- 6. Tom Van Zandt emailed a gutter proposal for Village Hall.**
- 7. NY Rural Water sent notice regarding their 41st Annual Technical Training Workshop & Exhibition May 18-20, 2020.**
- 8. Thomas Mance Construction Inc sent an estimate to fix DPW barn of \$4800.00.**
- 9. Orange County Board of Elections sent notice regarding the 2020 Presidential election polling places.**
- 10. Florida Union Free School District sent a request for the Golden Hill PTA Touch a Truck on Saturday May 2nd.**
- 11. Warwick Valley Dispatch sent a request to be the official newspaper of the Village of Florida.**
- 12. Global Montello sent a letter regarding an invoicing error.**
- 13. Eileen Astorino sent a request for appointment of Village Registrar**
- 14. Thomas Mance sent an estimate for the repair of the ice-skating rink**
- 15. Ryan DeNisco sent an email requesting a Census presentation.**

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/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.

There were no public comments

VIII. UNFINISHED BUSINESS

1. Conference Attendance

Motion made by Trustee Barczak seconded by Trustee Olejniczak to approve DPW Timothy Brunswick attendance to the New York Rural Water Conference from May 17th-May 19, 2020 cost not to exceed \$1200.00

VOTE: YES 4 NO 0 1 Abs

2. Conference Attendance

Motion made by Trustee Olejniczak seconded by Trustee Fuller to approve/deny/table the Mayor, Trustees and Village Clerk to attend Annual NYCOM Conference from May 3rd-May 5th, 2020 cost not to exceed \$1200.00

VOTE: YES 4 NO 0 1 Abs

3. DPW Truck Payment

Motion made by Trustee Fuller seconded by Trustee Barczak to approve payment presented in the amount of \$115,722.16 from Route 23 Auto Mall Butler, NJ for the purchase of a 2019 Ford F750 Dump truck at state bid.

VOTE: YES 4 NO 0 1 Abs

IX. NEW BUSINESS

1. TAX CAP Local Law

Village of Florida
Village Board of Trustees

Resolution to Introductory Local Law 1 of 2020, to Override the Tax Levy Limit Established in General Municipal Law §3-C

WHEREAS, Introductory Local Law 1 of 2020, A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-C was introduced at the Village Board’s regular meeting held on February 12, 2020;

WHEREAS, a duly noticed public hearing was held on March 11, 20 at 7:30 p.m.;

WHEREAS, the Village Board declared itself to be lead agency in accordance with the State Environmental Quality Review Act on March 11, 2018;

WHEREAS, the Village Board determined that the adoption of Local Law 1 of 2020 is a Type II action and no further environmental review is required;

NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law #1 of 2020 as Local Law #3 of 2020. Said Local Law will take effect immediately upon filing with the Secretary of State.

Motion by: Trustee Fuller Second by Trustee Barczak

Ayes 4 , Nos 0 , Abstentions 1

2. Organizational Meeting

Motion made by Trustee Fuller seconded by Trustee Olejniczak to schedule the Organizational Meeting for April 6, 2020 at 7:00 PM.

VOTE: YES 4 NO 0 1 Abs

3. Budget Meeting/ Public Hearing

Motion made by Trustee Olejniczak seconded by Trustee Barczak to schedule the Budget Public Hearing for April 15th, 2020

VOTE: YES 4 NO 0 1 Abs

4. CDBG 2021 Grant

VILLAGE OF FLORIDA

GOVERNING BODY FAIR HOUSING RESOLUTION

The Village of Florida supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of the Village of Florida to implement programs to ensure equal opportunity in housing for all person regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Village of Florida further objects to discrimination in the sale, rental, leasing, financing of housing or lands to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of the Village of Florida do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Village of Florida will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Village of Florida shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FUTHER RESOLVED, that the municipality will at a minimum include, but not limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this 11th day of March 2020

ATTEST:

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Telephone Number

The VILLAGE OF FLORIDA is hereby submitting its Municipal Grant Eligibility Form for consideration under the Orange County Community Development (CDBG) Block Grant 2021 and that the Mayor or the Village Engineer is hereby authorized to submit this form.

They further certify that they have read and understood that Municipal Grant Eligibility Form and have met all its applicable requirements and that the information contained in this form is accurate and true to the best of their knowledge.

DANIEL HARTER, MAYOR

ALFRED A. FUSCO, JR., P.E, TOWN ENGINEER

DATE

DATE

VOTE: YES NO

5. Community Development scheduling of Public Hearing for FY-2021

Motion made by Trustee Fuller and seconded by Trustee Olejniczak to adopt the following resolution.

The Board of Trustees of the Village of Florida invites public comments and suggestions regarding projects to be considered for funding under the Orange County Community Development Program. A public hearing will be held on March 18th at 7:00 PM, or as soon thereafter as the matter can be heard, at the Village Hall, 33 South Main Street, Florida New York. Under this program a variety of physical improvements as listed below are eligible for funding:

1. Public Facilities:
 - a. Streets, curbs, sidewalks, storm and sanitary sewers, water lines, parks, community centers, senior centers, parking lots.
2. Public Services:
 - a. Recreation, public safety, senior citizen services, addiction counseling, services for adults with severe disabilities, health care, fair housing, homeless housing services, energy conservation,
3. Other
 - a. Acquisition, demolition, rehabilitation and homeowner assistance

The Board of Trustees of the Village of Florida will be considering projects to be submitted to the Orange County Community Development program, the deadline for which is April 24, 2021.

Motion made by Trustee Fuller seconded by Trustee Olejniczak to schedule the Public Hearing for March 18, 2020

VOTE: YES 4 NO 0 1 Abs

6. Introductory Local Law Parks

**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

- A. Vehicles are prohibited on all park property except on designated roadways and parking lots.

- B. Overnight parking of vehicles on park property is prohibited.
- C. The parking of vehicles, boats or trailers between the shoulder and the roadway at Glenmere Lake is always prohibited.
- D. The parking of vehicles, boats, or trailers on the roadways adjoining the park at Glenmere or the Village reservoir (Glenmere Lake) is always prohibited.
- E. 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

- A. 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.
- B. 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 by Trustee Fuller seconded by Trustee Olejniczak

VOTE: YES 4 NO 0 1 Abs

7. Stop DWI Agreement

Motion made by Trustee Fuller seconded by Trustee Barczak to authorize Chief James Coleman to execute the agreement with the County of Orange for funding pertaining to stop DWI Program

VOTE: YES 4 NO 0 1 Abs

8. DPW Barn Repair

Motion made by Trustee Barczak seconded by Trustee Olejniczak to approve the repair of the DPW barn in the amount of \$4800.00 by Thomas Mance Construction Inc.

VOTE: YES 4 NO 0 1 Abs

9. Ice rink repair

Motion made by Trustee Barczak seconded by Trustee Fuller to table the repair of the ice rink in the amount of \$1500.00 labor \$600.00 materials by Thomas Mance Construction Inc.

VOTE: YES NO

Meeting Schedule

March 18, 2020	12:00 PM-9:00PM Village Election/6:30 Work Session/Public Hearing
April 1, 2020	6:30 Work Session
April 6, 2020	7:00 PM Organizational Meeting
April 8, 2020	7:30 PM Meeting 6:30 Vouchers
April 15, 2019	6:30 PM Work Session

X. PUBLIC COMMENT

Greg Kimiecik wanted to know about the water plant and the cost and grants

Al Fusco answered explained that we presented a 5-million-dollar grant and it includes distribution and other monies. Trying to get most of the repairs completed with grant.

GK- What is the Public Hearing on 3/18 about?

Attorney Cassidy- that is a for water sewer bills to be combined onto one

Al Fusco spoke briefly about the grant

XI. ADJOURNMENT

Motion made by Trustee Fuller seconded by Trustee Barczak to adjourn the meeting at 8:22 PM.

VOTE: YES 4 NO 0 1 Abs