# **November 4, 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

Olejniczak, Trustee Werner-Jahrling

Board Members Absent: Trustee Barczak

Also, Present: DPW Super Brunswick, Clerk Wierzbicki, Treasurer Geller

Approximate Number in Audience: **4**

1. **PUBLIC HEARING**

**Franchise Agreement for Cablevision LLC**

**Motion made by Trustee Fuller seconded Trustee Olejniczak to open the public hearing at 7:30 pm**

##### **VOTE: YES \_\_4\_\_\_\_\_\_\_ NO \_\_\_\_0\_\_\_\_\_ 1 ABS**

No correspondence has been received. The clerk shall read the notice.

PLEASE TAKE NOTICE that the Mayor and the Village Board of Trustees of the Village of Florida will hold a public hearing at the Florida Village Hall, 33 South Main Street, Florida, NY 10921 on November 4,2020 at 7:30 P.M. to afford all interested parties the opportunity to be heard concerning the renewal of the franchise of Cablevision of Warwick, LLC, in the Village of Florida. Copies of the proposed franchise renewal agreement are available for review in the Village Clerk’s Office at 33 South Main Street, Florida, NY 10921.

BY THE ORDER OF THE MAYOR

AND THE VILLAGE BOARD OF TRUSTEES OF

THE VILLAGE OF FLORIDA, NEW YORK

**Motion to close Public Hearing at**

##### **VOTE: YES \_\_\_4\_\_\_\_\_\_ NO \_\_\_\_0\_\_\_\_\_**

**III. MINUTES**

Motion made by \_Trustee Fuller\_\_\_seconded by \_Trustee Werner-Jahrling\_\_\_\_\_\_ to approve the minutes of the October 7, 2020 Regular meeting

##### **VOTE:** **YES \_\_\_4\_\_\_\_\_\_ NO \_\_\_\_0\_\_\_\_\_**

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

1. **Treasurer’s Report**

Motion made by \_\_\_Trustee Fuller\_\_\_\_\_ seconded by \_Trustee Olejniczak\_\_\_\_ to accept the Treasurer’s report for October 2020 as submitted.

**VOTE:** **YES\_\_4\_\_\_\_\_\_\_ NO \_\_0\_\_\_\_\_\_\_**

**2. Payment of Vouchers**

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

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| **VOTE:** **YES\_\_\_4\_\_\_\_\_\_ NO \_\_\_0\_\_\_\_\_\_**   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | |  |  |  | | --- | --- | --- | |  |  |  | | **Transfers** |  |  | | **General Fund Expenditures** |  |  | | **Account Description** | **From** | **To** | | Treasurer Audit Expenditures | 4,000.00 |  | | Treasurer Computer Equipment & Services |  | 1,000.00 | | Clerk Computer Equipment & Services |  | 3,000.00 | |  |  |  | | Office Renovations | 1,000.00 |  | | Real Estate Tax Expenditures |  | 1,000.00 | |  |  |  | |  |  |  | |  |  |  | | **Water Fund Expenditures** |  |  | | **Account Description** | **From** | **To** | | Capital Plant Equipment | 1,000.00 |  | | Plant Operator Salaries |  | 1,000.00 | |  |  | |  |  |  | | **There were no transfers in the Sewer Fund** |  |  | |  |  |  | | 1. Motion made by \_\_Trustee Fuller\_\_\_\_\_\_ seconded by \_\_Trustee Olejniczak\_\_\_\_ to approve transfers as presented.   **VOTE:** **YES\_\_\_4\_\_\_\_\_\_ NO \_\_\_\_0\_\_\_\_\_** |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |
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**IV. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS**

1. **John Karas sent a letter about an increase of 1.5% in 2021 for the Benistar Retiree Medical Plan.**
2. **Residents Linda & Edward Dubin sent a letter regarding their concern for the Cricket Frogs in Village Drive.**
3. **Comp Alliance sent a copy of their October Alliance Advisor.**
4. **A packet regarding the Coronavirus Relief Fund was sent and updated on September 2nd.**
5. **Orange and Rockland sent a notice regarding the Gas Emergency Response municipal information exchange.**
6. **Comp Alliance sent a letter regarding Daylight Savings time change.**
7. **Edmunds sent their software and maintenance agreement for 2020.**
8. **CTRI sent an email about workplace violence prevention online trainings on October 8th**
9. **CivicPlus sent a letter about cybersecurity threats.**
10. **TAM sent a change order on October 18th regarding Clarifier wiers at the sewer plant.**
11. **Rosenburg Properties sent a letter on October 20th regarding vacant land in the Village offered for sale $1.5 million.**
12. **The NYSDOH send a notice regarding their suggestions for Halloween, and trick or treating.**
13. **Dr. Gelman of Orange County sent a letter regarding Covid-19 and Halloween.**
14. **Mayor Harter sent a signed change order letter to Fusco Engineering on October 21st.**
15. **Mark Giza submitted a bid for the soundproofing work to be done in courtroom.**
16. **Town of Warwick sent the preliminary budget.**
17. **MVP sent a letter of Health insurance renewal with approximate 5% increase.**
18. **We received three bids for the sound proofing in court renovation.**

**V. REPORTS OF THE TRUSTEES**

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

2. Craig Olejniczak – DPW Sewer and Water

3. Alyssa Werner-Jahrling –Parks & Rec, Buildings and Grounds, Chamber of

Commerce, Window Decorations & Holiday Market.

4. John Barczak – Planning and Zoning, Building Departments, Historical Buildings & Preservation

**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.

**No comments;**

There was a brief discussion about the finishing of the Jayne Street bridge, and Mayor Hater stated he was going to the public hearing in the Town of Warwick to discuss funds needed to finish this project.

**VII. UNFINISHED BUSINESS**

1. **LED Maintenance Agreement**

**Motion made by Trustee Fuller seconded by Trustee Olejniczak to approve the Real Term Energy Maintenance Agreement in the amount of $6312.00/ year when all lights are operating.**

**VOTE: YES 4 NO 0**

1. **Court Soundproofing**

**Motion made by Trustee Fuller seconded by Trustee Olejniczak to approve bid in the amount of 7350.00 by Mark Giza**

**Bids received:**

**Mark Giza Tom Mance Mike Pawliczek Contracting Inc**

**2 Rose St 468 Ridgebury Road PO Box 565**

**Florida, NY 10921 Slate Hill, NY 10973 Florida, NY 10921**

**$7350.00 $8500.00 $7500.00**

**VOTE: YES 4 NO 0**

**VIII. NEW BUSINESS**

1. **Re-levy of 2020 General Taxes to the County**

**Motion made by Trustee Fuller seconded by Trustee Olejniczak to authorize the sale of $55,992.97 in General Taxes, plus and penalty to the County of Orange for relevy onto their taxes.**

**VOTE: YES 4 NO 0**

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1. **Franchise Agreement with Cablevision LLC**

RESOLUTION AUTHORIZING THE VILLAGE OF FLORIDA TO RENEW A CABLE FRANCHISE AGREEMENT WITH CABLEVISION OF WARWICK, LLC, TO OPERATE A CABLE SYSTEM IN THE VILLAGE OF FLORIDA

WHEREAS, the Village of Florida (the “Village”) is a “franchising authority” in accordance with Title VI of the Communications Act of 1934, (the “Communications Act”), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”);

WHEREAS,the Village, executed a cable franchise renewal agreement with Cablevision of Warwick, LLC (the “Franchisee”) on June 17, 2010, which was thereafter confirmed and made effective by the New York State Public Service Commission (“Commission”) on September 24, 2010 for a term of ten (10) years (Case No. 10-V-0305), and

WHEREAS, said cable franchise renewal agreement expired on September 24, 2020, and Franchisee has since continued to operate its system within the Village pursuant to its rights under federal law; and

WHEREAS, Franchisee has submitted to the Village a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating said system within the Village; and

WHEREAS, The Village and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Village has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Village has determined that Franchisee has the requisite legal, technical and financial capabilities to operate cable systems within the Village and that Franchisee’s proposals for renewal of the franchises meet the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement was held before the Village on November 4, 2020.

NOW, THEREFORE, be it

RESOLVED, that the Village Board determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED that the Village Board hereby authorizes the Mayor to enter into the Franchise Renewal Agreement with Cablevision of Warwick, LLC, and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Florida.

Motion made by Trustee Fuller, seconded by Trustee Olejniczak to approve this franchise agreement.

Dated: \_\_\_\_\_\_\_November 4th \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020

1. **2021 Village Election Resolution**

Motion made by Trustee seconded by Trustee to adopt the following resolution:

**Whereas**, Election Law § 15-104 provides that village elections shall be held on the third Tuesday of March.

**Whereas,** the Village Board may by resolution designate the next general Village Election for officers as Tuesday, March 16, 2021, and

**Whereas,** the Board of Trustees designate, by resolution, and publish the offices which are to be filled in such election and the terms thereof,

**Now Be It Resolved**:

**Section 1.** That the Board of Trustees designates the following offices as vacant at the end of the current year to be filled at the Village election to be held on Tuesday, March 16, 2021 for the following terms:

**Justice**, Four-year term Special Election- Unexpired 2023

**Trustee,** Four-year term

**Trustee**, Four-year term

**Section 2.** The Village Clerk is hereby directed to publish this resolution, in full, in the Warwick Dispatch.

**Section 3.** This resolution shall be effective immediately.

Motion made by Trustee Fuller seconded by Trustee Olejniczak

**VOTE: YES 4 NO 0**

1. **Local Law Fences**

Will be discussed at the Public Hearing on December 2nd

Motion made by Trustee Fuller seconded by Trustee Olejniczak to adopt this local law.

**VOTE: YES 4 NO 0**

1. **Christmas Tree Lighting**

Motion made by Trustee \_Fuller\_\_\_\_ seconded by Trustee Olejniczak to hold the annual Tree Lighting Ceremony at the Presbyterian Church property on December 4, 2020. A hold harmless agreement must be received.

**VOTE: YES 4 NO 0**

1. **Annual Menorah Lighting**

Motion made by Trustee Fuller seconded by Trustee Olejniczak to hold the annual Menorah Lighting Ceremony on December 11th 2020 at dark. In discussion to lock down date with local Rabbi.

**VOTE: YES 4 NO 0**

1. **Renewal of Golden Hill Sewer Contract**

Motion made by Trustee Fuller seconded by Trustee Olejniczak\_to renew 2020 Golden Hill Sewer contract in the amount of $ 28,000.00.

**VOTE: YES 4 NO 0**

1. **Renewal of 2021 Benistar Contract**

Motion made by Trustee Fuller seconded by Trustee Werner-Jahrling to renew 2021 increase rate of 1.05% total rate of $576.00 per member/retiree

**VOTE: YES 4 NO 0**

1. **Renewal of 2021 MCSJ Software Support**

Motion made by Trustee Fuller seconded by Trustee Olejniczak to renew 2021 MCSJ Software Support & License Agreement at $150.00/hour

**VOTE: YES 4 NO 0**

1. **Approve transition to Orange Bank and Trust as new official Bank for Village**

Motion made by Trustee Fuller seconded by Trustee Olejniczak to approve Orange Bank and Trust as the Official Depository of the Village of Florida.

**VOTE: YES 4 NO 0**

1. **Renewal of 2021 MVP Contract**

Motion made by Trustee Fuller seconded by Trustee Olejniczak to renew 2021 increase rate of 5% police procedure.

**VOTE: YES 4 NO 0**

1. **Executive Order 203 Police Policy Review. Public Hearing to be scheduled December 15, 2020 at 7:30 PM.**

Motion made by Trustee Fuller and seconded by Trustee Olejniczak to review the police policy at the public hearing on December 15th, 2020.

**To be viewed online at www.villageofflorida.org**

1. **Meeting Schedule**

November 18, 2020 9:30 AM Work Session

December 2, 2020 9:30 AM Work Session/7:30PM General Meeting-Public Hearing

December 15, 2020 7:30 PM Public Hearing

December 16, 2020 9:30 AM Work Session

January 6, 2021 9:30 AM Work Session/7:30 PM General Meeting

January 20, 2021 9:30 AM Work Session

1. **PUBLIC COMMENT**

Gerald Conlon wanted to know when the construction of the new pipe on Village Drive will begin.

Mayor Harter stated that we have been in discussion with the contractor.

Greg Kimiciek wanted to know what the Public Hearing budget was

Mayor Harter stated that we need money to fix the Jayne Street Bridge. We are asking for funding, and need a plan.

Bob Scott stated that it is very nice the Village has new street lights. He also spoke about the

Veteran’s Day service has been modified to a limited amount of people 11:00 AM.

**Mayor Harter stated if there is nothing else he would ask for an adjournment.**

1. **ADJOURNMENT**

**Motion made by Trustee Olejniczak seconded by Trustee Fuller to adjourn the meeting at 8:30PM**

**VOTE:** **YES 4 NO 0**