# **September 1, 2021 GENERAL MEETING OF THE BOARD**

# **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 Olejnczak, Trustee Werner-Jahrling, Trustee Roach

Board Members Absent: none

Also, Present: Clerk Wierzbicki, Treasurer Geller, Elizabeth Cassidy

Approximate Number in Audience: **0 in person**

**II. PUBLIC HEARINGS**

1. **Introductory Local Law 3 of 2021 a local law to establish a three-way intersection at the intersection at Valley Court and Village Drive, and Park and Center Circle Avenue and Village Drive**

**The public hearing notice will be read as published in the Warwick Valley Dispatch. No correspondence was received.**

**Motion to open the public hearing by Trustee Fuller Second by Trustee Olejniczak**

**Aye 5 Nay 0**

**Mayor Harter stated that due to the weather he would want to keep the hearing open until September meeting.**

**Motion to keep the public hearing open by Trustee Olejniczak Second by Trustee Werner-Jahrling**

**Aye 5 Nay 0**

1. **Introductory Local Law 4 of 2021 Introductory Local Law # 4 of 2021 entitled “A Local Law to Regulate the Collection of Solid Waste in the Village of Florida”**

**The public hearing notice will be read as published in the Warwick Valley Dispatch. No correspondence was received.**

**Mayor Harter stated that due to the weather he would want to keep the hearing open until September meeting.**

**Motion to keep open the public hearing by Trustee Fuller Second by Trustee Olejniczak**

**Aye 5 Nay 0**

1. **Introductory Local Law 5 of 2021, a local law to opt-out of the NYS Marijuana Regulation and Taxation Act S 131 “Cannabis Retail Dispensaries**

**The public hearing notice will be read as published in the Warwick Valley Dispatch. No correspondence was received.**

**Motion to open the public hearing by Trustee Roach Second by Trustee Fuller**

**Aye 5 Nay 0**

**Motion to keep open the public hearing by Trustee Fuller Second by Trustee Olejniczak**

**Aye 5 Nay 0**

1. **MINUTES**

Motion made by Trustee Fuller seconded by Trustee Roach to approve the minutes of the August 4th General Meeting

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

Motion made by Trustee Olejniczak seconded by Trustee Fuller to approve the minutes of the August 18th Special Meeting

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

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

1. **Treasurer’s Report**

Motion made by Trustee Fuller seconded by Trustee Roach 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 Werner-Jahrling to approve payment of the vouchers as audited.

**VOTE: YES 5 NO0**

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|  |  |  |
| Motion made by Trustee Werner-Jahrling seconded by Trustee Roach to approve transfers as presented  **VOTE: YES 5 NO 0** |  |  |

**VI. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS**

1. **Teamsters Local 445 sent a request to make sure that we are updating our member lists quarterly.**
2. **OCDOH sent notice following a meeting at the water plant on August 3, 2021 regarding their inspection.**
3. **NYSDOT sent a letter regarding Local Highway Inventory.**
4. **Blustein, Shapiro, Frank and Barone sent a Notice of Claim regarding a client.**
5. **Slack Chemical sent a price increase on Caustic Beads for 50 lb. bags.**
6. **OCDOH sent a letter regarding Village Emergency Assessment Plan.**
7. **Altice sent over a price scheduling notice for video packages.**
8. **Michael Thomas of 57 Hill View Drive requests reimbursement for a damaged mailbox.**
9. **Town of Warwick sent notice regarding their Introductory LL 4 2021.**
10. **NYS Division of Budget sent notice regarding additional ARPA funds in the amount of $1217.34 being allocated.**
11. **Orange County Youth Bureau sent the fully executed 2021 Summer Recreation contract.**
12. **Quinn’s Army, a fundraiser, sent a request for permission to use the field behind Rookies on September 12, 2021 from 1-5 pm.**
13. **Orange -Ulster BOCES sent a contract for the Florida Police Department for the Ride-a long program for 2021-2022.**
14. **The Village of Florida 9/11 ceremony will be on 9/10 at 9:00 am at the monument between Village Hall and the Firehouse.**
15. **Ward Pavement submitted bid for Basketball Court and Parking Lot.**
16. **Statewide submitted quote for repair of Beazer Tank repair.**
17. **State of New York Unified Court System sent a request for Audit resolution done in May.**
18. **Florida Union Free School District supplied signed Police Agreement for 2021-2022 school year.**
19. **Florida Union Free School District sent notice regarding the 2021 Homecoming parade on October 16, 2021 at 10:30AM.**

**VII. REPORTS OF THE TRUSTEES**

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

**2. Craig Olejniczak – Recreation & Parks, Animal Control, Buildings/Grounds**

**3. Alyssa Jahrling – DPW, Sewer/ Water, Chamber of Commerce**

**4. Matthew Roach – Building & Planning, Historical**

**VIII. 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 some comments on Facebook.

An unnamed resident asked What was going on with the water

Trustee Jahrling went over the plant progress and PILOT program in detail.

Mayor Harter stated that after the program is evaluated, the results will be sent to OCDOH and EPA and a determination will be made on how to move forward.

**IX. UNFINISHED BUSINESS**

1. **INTRODUCTORY LOCAL LAW 3 OF 2021**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**A RESOLUTION TO ADOPT A LOCAL LAW TO DESIGNATE VILLAGE INTERSECTIONS AS STOP INTERSECTIONS**

**WHEREAS, the Village of Florida desires to designate the intersections along Village Drive 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 # 3 of 2021, entitled A LOCAL LAW TO DESIGNATE VILLAGE INTERSECTIONS AS STOP INTERSECTIONS, on August 4, 2021;**

**WHEREAS, a duly noticed public hearing was held on September 1, 2021; and**

**WHEREAS, the installation of traffic control devices on existing streets, roads and highways is a Type II action pursuant to the New York State Environmental Quality Review Act and no further environmental review is required.**

**NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law # 3 of 2021 as Local Law \_\_ of 2021**

**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.**

**TABLED**

**Motion by:**

**Second by:**

**Ayes:**

**Noes:**

**Abstentions:**

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

***Motion to approve by second by-***

**VOTE YES NO**

1. **INTRODUCTORY LOCAL LAW 4 OF 2021**

**RESOLUTION TO ADOPT INTRODUCTORY LOCAL LAW 4 OF 2021**

**A LOCAL LAW TO REGULATE THE COLLECTION OF SOLID WASTE IN**

**THE VILLAGE OF FLORIDA**

**WHEREAS, the Village Board of Trustees desires to regulate the manner of garbage or solid waste collection to ensure the health, safety and welfare of Village residents and Village staff responsible for collecting garbage;**

**WHEREAS, said action is an unlisted action pursuant to the State Environmental Quality Review Act (“SEQR”); and**

**WHEREAS, the Village Board has caused a short environmental assessment form to be prepared and has evaluated the potential environmental impacts of the proposed local law; and**

**WHEREAS, a duly noticed public hearing was held on September 1, 2021**

**NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby declares that the proposed local law will not have any adverse environmental impacts and hereby issues a “Negative Declaration” pursuant to SEQR.**

**BE IT FURTHER RESOLVED that Introductory Local Law # 4 of 2021 entitled “A Local Law to Regulate the Collection of Solid Waste in the Village of Florida” is adopted as Local Law \_\_\_\_ of 2021**

**BE IT FURTHER RESOLVED that the Village Clerk shall cause said local law to be filed with the New York Secretary of State.**

**TABLED**

**Motion by:**

**Second by:**

**VOTE YES NO**

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

1. **INTRODUCTORY LOCAL LAW 5 OF 2021**

**Village of Florida**

**Village Board of Trustees**

**Resolution to Adopt Introductory Local Law 5 of 2021, a local law to opt out of allowing cannabis retail dispensaries and on-site consumption sites as authorized under**

**Cannabis Law § 131**

**WHEREAS, The Marihuana Regulation and Taxation Act (MRTA) became effective on March 31, 2021 and regulates and taxes the sale of marihuana for recreational purposes; and**

**WHEREAS, whereas MRTA authorizes a local municipality to adopt a local law prohibiting the establishment of such retail dispensary licenses or on-site consumption licenses.**

**WHEREAS, the Village desires to prohibit the establishment of retail dispensaries;**

**WHEREAS, Introductory Local Law 5 of 2021, A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER CANNABIS LAW § 131**

**WHEREAS, a duly noticed public hearing was held on September 1, 2021 at 7:30 p.m.;**

**WHEREAS, the Village Board determined that the adoption of Introductory Local Law 5 of 2021 is a Type II action pursuant to 6 NYCRR 617.5 (c)(30) and (33) and no further environmental review is required;**

**NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law #5 of 2021 as local law #\_\_\_ of 2021.**

**BE IT FURTHER RESOLVED that said local law is subject to a permissive referendum;**

**BE IT FURTHER RESOLVED that the Village Clerk shall cause said local law to be filed with the Secretary of State and incorporated into the Village Code.**

**TABLED**

**Motion by:**

**Second by:**

**Ayes \_\_\_\_\_\_, Nos \_\_\_\_\_\_, Abstentions \_\_\_\_\_\_**

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

**VOTE YES NO**

1. **SEWER LINING BID**

**RESOLUTION**

**AUTHORIZING APPLICATION TO NEW YORK STATE DEPARTMENT OF TRANSPORTATION/**

**SEQR RESOLUTION**

**WHEREAS, the Village Board of Trustees previously authorized the Village Engineer to prepare bid specifications for the lining of Village sewer lines; and**

**WHEREAS, the Village awarded the bid to Granite Inliner LLC on May 19, 2021; and**

**WHEREAS, the work requires the acquisition of a New York State Department of Transportation work permit for work in the right of way;**

**NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby declares that the sewer lining project is a Type II action pursuant to 6 NYCRR 617.5(c)(1)**

**BE IT FURTHER RESOLVED, that the Village Engineer shall prepare and the Mayor is hereby authorized to sign an application to New York State Department of Transportation.**

**MOTION BY: Trustee Werner-Jahrling**

**SECOND BY: Trustee Fuller**

**VOTE: YES 5 NO 0**

**X. NEW BUSINESS**

1. **Mailbox Reimbursement 57 Hill View Drive**

Motion made by Trustee Fuller seconded by Trustee Olejniczak table the payment of for reimbursement.

**VOTE: YES 5 NO 0**

1. **Fundraiser Field Use**

**Motion made by Trustee Fuller seconded by Trustee Olejniczak to approve the waiver of the open container law on September 12, 2021 from 1-5 PM in designated area (Seward Mapes field) only for Quinn’s Army fundraiser.**

**VOTE: YES 5 NO 0**

1. **Florida Police Department Ride a Long Orange Ulster BOCES**

**Motion made by Trustee Fuller seconded by Trustee Olejniczak to approve Chief Coleman to enter into contract with OU BOCES beginning 7/1/2021-6/30/2022 for the Ride a Long Program.**

**VOTE: YES 5 NO 0**

1. **Cedar Crest Pipe**

**RESOLUTION TO AUTHORIZE REPAIR OF SEWER MAIN ON AN EMERGENCY BASIS**

**WHEREAS, the DPW has identified a partially crushed sanitary sewer along Country Club Drive; and**

**WHEREAS, the Village Engineer has advised that the sanitary sewer is beyond repair and must be excavated and replaced; and**

**WHEREAS, the County of Orange has an existing contract (County RFB-OC043-17) for emergency repair and replacement of water and sewer mains; and**

**WHEREAS, TAM Enterprises was selected as the lowest responsible bidder under that contract; and**

**WHEREAS, New York State General Municipal Law § 103(3) and § 103 (16) allow political subdivisions such as the Village of Florida to make purchases through County contracts;**

**NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby authorizes TAM Enterprises to excavate and replace the damaged sanitary sewer on Country Club Drive not to exceed $ 18,000.00;**

**BE IT FURTHER RESOLVED, that such work shall be as specified by the Village Engineer;**

**BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign agreement as may be necessary subject to the review and approval by the Village Attorney.**

**BE IT FURTHER RESOLVED, that to the extent such contract award is found not to be in compliance with State and Local procurement policies, the Village hereby declares that the nature of the work arose from an unforeseen occurrence whereby the circumstances require immediate action and cannot await competitive bidding for the protection of life, health, safety or property of the residents of Florida and authorize such contract pursuant to New York State General Municipal Law §103(4).**

**Motion by: Trustee Werner-Jahrling**

**Second by: Trustee Fuller**

**VOTE: YES 5 NO 0**

1. **Beazer Homes Tank Repair**

**Motion by Trustee Werner Jahrling seconded by Trustee Olejniczak to approve the quote in the amount of $2070.00 from Statewide Aquastore for an emergency repair to the water tank.**

**VOTE: YES 5 NO 0**

1. **Outdoor Fitness Quote**

**Motion by Trustee Fuller seconded by Trustee Olejniczak to approve quote for fitness equipment in the amount not to exceed $12,000.00 including shipping, partially funded by a Healthy Orange grant.**

**VOTE: YES 5 NO 0**

1. **Standard Workday NYS Retirement**

**WHEREAS, the New York State and Local Employees’ Retirement System adopted 2 NYCRR §315.4, a regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and WHEREAS, the regulation requires an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed. NOW THEREFORE, BE IT RESOLVED, the Village of Florida hereby establishes the following standard work days for the listed titles and will report the officials to the New York State and Local Employees’ Retirement System based on their record of activities:**

**AND BE IT FURTHER RESOLVED, elected and appointed officials who are not members of the State Retirement System are not subject to the provisions of this law; and be it further RESOLVED, certified copies of this resolution shall be forwarded to the Finance Commissioner, the Personnel Officer and the New York State Comptroller following 30 days of public posting.**

**Stan Work Day ROA**

**Alyssa Werner Jahrling TRUSTEE 6 3.46**

**Matthew Roach** **TRUSTEE 6 3.32**

**Craig Olejniczak TRUSTEE 6 7.25**

**Deborah Ehrich Tax Assessor 6 1.14**

**Motion by Trustee Olejniczak Seconded by Trustee Roach**

**VOTE: YES 5 NO 0**

**8. 2021-2022 Florida Union Free School District Police Contract renewal**

**Motion made by Trustee Werner seconded by Trustee Fuller to approve contract renewal in the amount of $76,000.00 for the school year 2021-2022 beginning from July 1, 2021 through June 30, 2022 to include two officers**

**VOTE: YES 5 NO 0**

1. **2021 Seward Homecoming Parade**

**Motion made by Trustee Werner seconded by Trustee Fuller to approve the parade on Main Street in the Village of Florida on October 16th, 2021 from 10:30-11:00AM. Police will be notified.**

**VOTE: YES 5 NO 0**

1. **Meeting Schedule**

September 15, 2021 9:30 AM Work Session

October 6, 2021 9:30 AM Work Session 7:30 Meeting PUBLIC HEARING

October 20, 2021 9:30 AM Work Session

November 3, 2021 9:30 AM Work Session 7:30 Meeting

1. **PUBLIC COMMENT**

**Rob Sedita asked about the chickens on Jayne Street**

**Trustee Roach states that they are being addressed by the Code Enforcement Officer and he will make sure he makes a follow up.**

**Alexis Gass:** **The bridge on Jayne street with all the construction we can’t get home!**

**Mayor Harter states that is being addressed by the Town of Warwick and they are waiting on a grant.**

**Jon Fucello wants to know what the point of the stop signs is. Requests a blinking light on 94.**

**Mayor Harter explains that 94 is a state road and the stop signs have proved to slow down traffic.**

**Unidentified resident:** **Is there a better number for the fire department because they don't answer the phone or return calls back please thank you**

**Trustee Fuller: Call 911 if you have an issue with flooding**

**Eileen Gianntonio: Can we increase water pressure in Beazer Homes, we are at state minimum**

**Mayor Harter: I will have DPW look into.**

**Jay Whitmore asked about the basketball courts.**

**Trustee Werner stated we are getting quotes and surveys. It is in the preliminary process.**

1. **ADJOURNMENT**

Motion made by Trustee Roach seconded by Trustee Fuller to adjourn the meeting at 8:30 PM.

**VOTE: YES 5 NO 0**