

# AGENDA, JANUARY 3, 2024 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 Olejniczak, Trustee Werner, Trustee Roach

Board Members Absent: none

Also Present: Clerk Wierzbicki, Treasurer Geller, Attorney Cassidy, Engineer Hoffman

Approximate Number in Audience: 4

*Mayor Harter requested a moment of silence for two recent deaths of Village residents and former employees William Pillmeier and Frank Schreibeis Jr. who passed over the holidays or close to the holidays. I would like to take a moment to think about them and their families and keep them in our prayers for tonight.*

## II. MINUTES

Motion made by *Trustee Fuller* seconded by *Trustee Roach* to approve the minutes of the December 6, 2023 Regular meeting.

**VOTE: YES 5 NO 0**

## III. FINANCIAL REPORTS

### 1. Treasurer's Report

Motion made by *Trustee Werner* 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 Roach* to approve payment of the vouchers as audited.

**VOTE: YES 5 NO 0**

2. Transfers:

**Transfers for Fiscal Year 5/31/24 - Jan 3**

**General Fund Expenditures**

<u>Account Description</u>	<u>From</u>	<u>To</u>
Police Computer Equipment and Services	2,000.00	
Police Station Maintenance (New Boiler )		2,000.00

**Water Fund Expenditures**

<u>Account Description</u>	<u>From</u>	<u>To</u>
Plant Equipment and Supplies	300.00	
Plant Office Supplies (Various - per H2O)		300.00

**Sewer Fund Expenditures**

none

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

VOTE: YES 5 NO 0

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

- 1. Altice sent a programming change notice.**
- 2. Town of Chester provided a copy of Introductory Local Law 8 of 2023 Moratorium on building permits.**
- 3. Orange County Department of Human Resources sent a notice regarding Provisional Appointments.**
- 4. The Warwick Advertiser sent a letter requesting being official paper for Legal Notices for upcoming year.**
- 5. Village of Florida Planning Board provided resolutions for Lempka Drive Warehouse, Leuner Realty, and Village Drive Commons.**
- 6. H2O provided RAFA Systems provided a quote for headworks effluent routers.**
- 7. A letter of support for Shannon Eyes on the Pies was received from Allen Clarkson of Warwick.**
- 8. A letter of retirement notice was received from John C. Harter Jr. effective January 1, 2024.**

**Mayor Harter stated that he wanted to comment on that letter that was received from Alan Clarkson of Warwick.**

***Mayor Harter*, I don't know how many people are aware of it but over the holiday season a local business Shannon's Eyes on the Pies that was harassed with some antisemitic threats and hate threats which is unacceptable. I spoke to Mayor Michael Newhard and Mayor Matthew Buckley of the respected Villages of the Town of Warwick and we did have a statement to make.**

**Recently, it came to our attention that a local business owner, Shannon Cheevers of Shannon's Eyes on the Pies, was harassed by antisemitic remarks and hate threats.**

**As elected officials of our three Villages we are dismayed by these words and will not accept or condone this form of hatred.**

**In the words of Rabbi Rebecca Shinder of Temple Beth Shalom in Florida, N.Y. after the 2016 desecration of their cemetery, "Hate does not live here."**

**We believe in the words of Rabbi Shinder.**

**We stand together, in unity and respect for our Jewish friends, families and residents.**

**We have no tolerance for it. I don't think the Board objects that this statement goes out to our official paper The Warwick Advertiser which I believe comes out this week.**

#### **V. REPORTS OF THE TRUSTEES**

**There was a brief discussion regarding each Trustee's responsible department.**

- 1. Thomas Fuller – Police, Justice, Emergency Management, Senior Affairs**
- 2. Craig Olejniczak – Recreation & Parks, Animal Control, Buildings/Grounds**
- 3. Alyssa Werner – DPW, Sewer/ Water, Chamber of Commerce**
- 4. Matthew Roach – Building & Planning, Historical**

## **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.

*Charles Dill of 76 Country Club Dr I would like to thank the Board DPW for getting our water service back, a couple go arounds to find the valve The water pressure in the house, there's so much action. The other thing is I am here to represent the Warwick Democratic Committee I hope to attend unintelligible.*

*Heather Ubides Happy New Year I have a question regarding item number 7 on the Agenda. Will you not be voting? unintelligible*

*Mayor Harter you are talking unfinished business? We are voting on a traffic study*

*HU Not on giving the state the detour unintelligible*

*MH Not yet we are going to do a traffic study then based on that we will go forward from there HU on the Agenda from last month, I thought it was stated that the state was going to do a traffic study*

*MH We were going to request that they did, more than likely they would not pay for it.*

*HU so they \$9500 for the traffic study includes 94 and Kaye Dr as well?*

*MH it includes Kaye Drive through the whole neighborhood*

*HU from 94 the traffic that passes through 94?*

*MH How do you want to interpret that?*

*Attorney Cassidy when we contacted the traffic engineer, we advised him of the detour unintelligible*

*MH so it does include the other streets?*

*AC It does include they have to look at it. It is not in isolation before we take action on the request, we want to see what impact will have on the streets*

*MH Does that answer your question*

*HU Just the fact that it's getting done*

*Greg Kimiecik I have a question \$732,000.00?*

*Trustee Fuller 76,000.00*

## VII. UNFINISHED BUSINESS

### 1. Farries Ave/Kaye Drive traffic study

VILLAGE OF FLORIDA  
VILLAGE BOARD OF TRUSTEES  
RESOLUTION

WHEREAS, New York State Department of Transportation (NYSDOT), as part of PIN 8002.24 - Pavement Resurfacing and Multiple Improvements - Culvert Replacement C850086, is preparing to replace the culvert on Route 94 over Brown Creek (Culvert Identification Number C850086) with construction anticipated to commence at the end of 2024 through 2025 necessitating the closure of Route 94 leading into the Village; and

WHEREAS, by letter dated November 22, 2023, the NYSDOT has requested the Village's consent to create a temporary detour from Route 94, over Big Oaks Drive, Hill View Drive, Kaye Drive and Farries Avenue for local residents only; and

WHEREAS, the area being considered for the detour was previously studied for traffic impacts and said study is incorporated in a Report prepared by John Collins Engineers, P.C., entitled Traffic Impact Study, Glenview Hills Subdivision and dated November 20, 2003, last revised July 27, 2004 (hereinafter "Traffic Study"); and

WHEREAS, said Traffic Study recommends that the intersection of Farries Avenue and North Main Street be evaluated for potential signalization in the event Farries Avenue is open to through traffic; and

WHEREAS, the Village Board of Trustees desires to study the impact of the proposed traffic detour prior to granting such consent;

WHEREAS, the Village Board solicited proposals from no fewer than three traffic engineering firms; and whereas two firms, Kimley-Horn Engineering and Landscape Architecture of New York P.C. ("Kimley-Horn") and Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT P.C. ("Colliers") submitted proposals; and

NOW THEREFORE BE IT RESOLVED, that upon consideration of the proposals, the recommendations of the Village Engineer and Village Attorney, the Village Board hereby selects Kimley Horn and authorizes such work not to exceed \$ 9,500 without prior authorization from the Village Board.

Motion by *Trustee Fuller*, Second by *Trustee Werner*.

VOTE:            YES   5            NO 0

## VIII. NEW BUSINESS

### 1. Mileage Allowance

The 2024 mileage allowance has increased one cent to 67 cents per mile.

Motion made by *Trustee Roach* seconded by *Trustee Olejniczak* to approve the mileage allowance to 67 cents per mile beginning January 1, 2024 in accordance with the 2024 IRS rate.

VOTE:            YES   5            NO 0

### 2. RAFA Headworks Effluent Router Quote

**Trustee Werner last month we had cyber hackers try to download data into our RAFA system, that's our digital computer everything is online now. Our pump stations are all digitized. They weren't able to get in but we could see that someone is trying to. So, in an effort to prevent any sort of cyber-attacks on our pump stations, we were recommended from RAFA which is a company that manages the software there to get these routers, they are more secure.**

Motion to approve the purchase of secure routers in the amount of \$2280.00 from RAFA Systems for the 4G LTE 6 Cradlepoint routers.

Motion by *Trustee Fuller*    Second by *Trustee Olejniczak*

VOTE:            YES   5            NO 0

### 3. Officer John Harter Jr. resignation

Motion to accept resignation of Officer John Harter Jr. effective January 1, 2024 after 20 plus years.

Motion by *Trustee Werner*    second by *Trustee Fuller*

VOTE:            YES   5            NO 0

**4. Surplus Equipment**

Motion made by *Trustee Fuller* seconded by *Trustee Roach* to declare the following equipment as surplus and to authorize the equipment to be sold.

- Kyocera FS-6525 MFP
- HP Laser Jet 3050 Fax
- Dell Monitor
- Dell OptiPlex 790
- Lanier Super G3 Copier
- Fellowes Powershred PS 80
- Holiday Decorations 14 lighted wreaths

**VOTE: YES 5 NO 0**

**5. Village Hall records area**

Emergency Declaration Resolution:

WHEREAS, the Village Board has been advised of an emergency situation involving repairs needed to the Village Hall second floor framing so as to prevent portions of said second floor framing from falling below on to the first floor which would create a dangerous condition;

WHEREAS, the Village Engineer has determined that the need for repairs to said second floor cannot await the usual public bidding process under New York State Law (“Process”) and that by waiting for the Process to be completed the Village employees and the general public may become endangered and that with the Village having such notice of a defect there could also be liability as to the Village; and

WHEREAS, the Engineer has advised the Village Attorney of the foregoing, and the Village Attorney has opined that an emergency exists under applicable law so as to enable the Village to undertake action for immediate repairs outside of the Process;

NOW THEREFORE, it is determined by the Village Board as follows:

1. All of the “WHEREAS” paragraphs set forth above are hereby incorporated by reference.
2. The Village Mayor is hereby authorized to execute a contract with the Company or Companies to undertake all required immediate repairs regarding the second-floor framing. Those repairs that are not deemed to be of emergency nature by the Engineer shall be bid through the regular Process under New York State Law.
3. This Resolution shall take effect immediately.

**Motion by Trustee Olejniczak second by Trustee Fuller**

**VOTE: YES 5 NO 0**

**6. DPW Laborers**

Motion to hire the following DPW Laborers effective January 8, 2024 at the rate of \$18.75/hour per Union Bargaining Agreement. Employment subject to background check and Civil Service approval.

Nicholas Burris

Shane Pecorilli

**Motion by Trustee Olejniczak Second by Trustee Roach**

**VOTE: YES 5 NO 0**

**7. William Pillmeier proclamation**

***VILLAGE OF FLORIDA PROCLAMATION:***

***WHEREAS**, it is the intention of the Village Board of the Village of Florida to recognize those, who by their actions, have brought distinction, honor and glory to the community of Florida, New York; and*

***WHEREAS**, when such a contribution has been made, it is the policy of the Village Board of the Village of Florida, by special resolution, to publicly and historically make known these significant acts; and*

***WHEREAS**, Mr. William( JR) Pillmeier' s extensive history of involvement with the community for many years warrants such recognition; and*

***WHEREAS**, William was a Veteran of the U.S. Air Force and was member of Hudson Valley Honor Flight mission # 24 and American Legion Post 1250; and*

***WHEREAS**, William was a past Chief, President and Fire Commissioner of the Florida Fire Department volunteering his time to better serve the community*

***WHEREAS**, William also served as a member and Past President of the Seward Alumni Association keeping all alumni up-to-date about current district news and that of their fellow alumni; and*

***WHEREAS**, William devoted his time to several boards and committees including but not limited to the Florida Union Free School District Board of Education, Village of Florida Planning and Zoning Board of Appeals, Florida Family Fun Fest, Florida Little League*

***WHEREAS**, William is a noted historian, serving as both Village Historian and Assistant Village Historian for the Village of Florida.*

***NOW THEREFORE BE IT RESOLVED** that a suitable copy of this proclamation be prepared and presented to William Pillmeier' s family to celebrate his memory and the contributions to our*

*community and that this proclamation is entered upon the official minute book of the Village of Florida for all people to see, for all time to come.*

**BY ORDER OF THE BOARD OF TRUSTEES**

***Motion by Trustee Fuller Second by Trustee Werner***

**VOTE:            YES    5            NO 0**

**DANIEL HARTER JR, MAYOR**

**8. Volunteer Firefighter Exemption for Property Taxes**

**Motion to table for further review some things came to light with technicalities we will discuss at work session.**

**Motion by Trustee Olejniczak Second by Trustee Fuller**

**VOTE:            YES    5            NO 0**

**IX. Meeting Schedule**

January 17, 2024	9:30 AM Work Session
February 7, 2024	9:30 AM Work Session 7:30 PM Regular Meeting
February 21, 2024	4:00 – 8:00 PM Grievance and work session
March 6, 2024	9:30 AM Work Session 7:30 PM Regular Meeting
March 20, 2024	9:30 AM Work Session

**X. PUBLIC COMMENT**

**Trustee Fuller I need to make a correction I think John Harter had close to 40 years. He started before I got off and I got off in 84 he started just before I left long time**

**Greg Kimiecik Is there a service for JR?**

**Trustee Jahrling Saturday the 13<sup>th</sup> from 3-6 PM it is a celebration of life**

**Charles Dill The house that burnt down in CedarCrest, what's the status?**

**Mayor Harter I believe the insurance company has to resolve this. We did condemn it correct**

**EC We did condemn it because the firewall between the two units was unstable as a result of that condemnation so the property owner could secure the fire wall. The premises is secure as it could possibly be and it can be used stable. The insurance company has to rebuild it.**

**MH so it's in the insurance company's hands right now? They love to take your money but refuse to pay it back when you need it**

**There was a brief conversation regarding the fire and the repair.**

**Heather Ubides With regard to the vote for the DOT state will that be voted on at a regular or special meeting?**

**Mayor Harter it will probably be at a regular meeting. We are going to more than likely wait for the results of the traffic study before we decide what to do**

**HU is there a lead time?**

**MH like six weeks**

**EC I think 4-6 weeks**

**Trustee Olejniczak What's the time frame on them collecting the data and coming back with report?**

**EC 4-6 weeks**

**CO that's the time frame to complete?**

**EC Yes and whether you need more sessions**

**HU will that study also be available to the public on the Village website**

**EC it is a public record**

**MH it will be available**

**HU the last one was on the comprehensive plan**

**MH you will have access**

**HU with the Warwick Advertiser are all special meetings posted? The last one was not**

**MH I believe that one was cancelled. We post on the website and Facebook**

**Charles Dill the detour where would the traffic route?**

**MH ideally through Durland for local residents so they don't have to go around**

**HU Are you recommending an officer to enforce that a DOT officer**

**MH you're in luck we have a DOT officer Felix Oresto**

**HU that's going to be there 24/7 if you think about it the traffic coming from 94 traffic and tractor trailers trying to make its way through Glenview down Farries. I had to turn my ring camera it was nonstop I was at work unintelligible**

**Trustee Werner in that instance we could not detour to Durland in the Town of Goshen we can only control traffic in the Village itself. NYS can control it to the Town of Goshen, still not the best option. We think Pine Hill is the best option.**

**Trustee Fuller most people that live in the Village of Florida are going to take Pine Hill and come down Glenmere Ave doesn't make sense to come up through Farries**

**HU the state says Spring to Winter**

**CO it will definitely be ugly**

**TF figure two months they said it should be done**

**AW the culvert the whole project is taking more than that it's just the culvert replacement is what will cause the detour**

**HU so the road will be open the rest of the time?**

**AW yes, it's just when they do the culvert replacement, they have to shut it down**

**Unknown audience comment**

**TF he said 2 months**

**MH provided the bids and everything go according to plan we'll see**

#### **XI. ADJOURNMENT**

Motion made by *Trustee Olejniczak* seconded by *Trustee Fuller* to adjourn the meeting at 8:00 PM.

**VOTE:    YES   5        NO 0**

**Respectfully,**

**Colleen Wierzbicki**