

November 6, 2024 GENERAL MEETING AND PUBLIC HEARING OF THE BOARD

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, Police Chief Coleman

Approximate Number in Audience: 22

**II. PUBLIC HEARING LOCAL LAW 2 OF 2024 A
LOCAL LAW REGULATING AUTOMATIC
ALARMS**

No other correspondence was received

**Motion to close Public Hearing by Trustee Werner
second by Trustee Fuller**

VOTE: YES 5 NO 0

III. MINUTES

Motion made by *Trustee Olejniczak* seconded by *Trustee Roach* to approve the minutes of the September 4th, 2024 General Meeting (previously tabled)

VOTE: YES 5 NO 0

Motion made by *Trustee Fuller* seconded by *Trustee Roach* to approve the minutes of the October 2nd, 2024 General Meeting

VOTE: YES 5 NO 0

Motion made by *Trustee Werner* seconded by *Trustee Fuller* to approve the minutes of the October 16, 2024 Special Meeting

VOTE: YES 5 NO 0

IV. 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 Werner* seconded by *Trustee Olejniczak* to approve payment of vouchers as audited.

VOTE: YES 5 NO 0

3. Transfers

**Transfers for Fiscal Year 5/31/25 -
Nov 06**

General Fund Expenditures
Account Description

	<u>From</u>	<u>To</u>
Office Building Maintenance	500.00	
Senior Center Maintenance and Supplies (JM Electric lamp replacements)		500.00
Special Events Donations	100.00	
Special Events Other Expenditures (Funfest supplies)		100.00
Zoning Board School Expenditures	100.00	
Zoning Board Equipment and Supplies (Quill - Toner)		100.00

Planning Board School Expenditures	150.00	
Planning Board Computer Equip and Services	150.00	
Planning Board Equipment and Supplies (Folders, Minute Book)		300.00

Water Fund Expenditures

<u>Account Description</u>	<u>From</u>	<u>To</u>
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NONE

Sewer Fund Expenditures

<u>Account Description</u>	<u>From</u>	<u>To</u>
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NONE

Motion to approve transfers as presented by Trustee Fuller second by Trustee Roach

VOTE: YES 5 NO 0

V. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS

1. Town of Warwick submitted a 2025 Snow and Ice contract for signature.
2. No overnight parking on Village Streets begins November 15th and will be strictly enforced.
3. Comp Alliance submitted 2024 Member Loyalty Award in the amount of 1564.00.
4. Vulcan Materials sent a price increase notice on crushed stone and sand.
5. Florida Fire Department sent a letter requesting Florida PD assistance with the Halloween parade.
6. A letter of support was received from Roger Dowd of the Seward Mapes Homestead Committee for the NY Forward grant.
7. Meg Sgombick Library Director of Florida Public Library sent a letter regarding Local Law 2 of 2024.
8. A letter of support for the NY Forward grant was received from the Florida Public Library.
9. NYS Civil Service sent an approval request for a waiver for a Village employee.
10. New York State Association of City and Village Clerks sent RMC Certification for Clerk Wierzbicki.
11. TAM Enterprises sent Change Order 1 for the Water Treatment plant upgrade.
12. Village of Florida Planning Board sent a determination for amended site plan of Buddy One LLC.
13. NYSDEC sent a survey for the Wastewater Treatment plant.
14. A notice of claim was received for an incident at Jarocki Park.

15. An Intermunicipal Agreement was received from the Town of Warwick for Parkland grant funding.
16. Helpsy submitted a container agreement for 1 year for a location in the rear parking lot.
17. Town of Warwick USA sent an Organizational Meeting invitation.
18. Mehl Electric submitted a change order for the Water Plant upgrade.
19. Town of Goshen sent a notification of Public Hearing for Establishment of the Town of Goshen Ambulance District.
20. Florida Family Fun Fest sent a request for approval of the Holiday Light parade on 12/7/24 at 5:30 pm.
21. Franchise fee received from Cablevision in the amount of \$10,241.00 for 3Q2024.
22. Quote for solar speed signs was received from Elan City, Grainger and Barco Products.
23. Partners in Safety sent a 2025 Consortium for Approval.
24. A quote was received for electric supply from New York Power Authority.
25. MVP Healthcare sent a notice of renewal with an 8.15% increase.
26. A Determination from the ZBA regarding 101-4-21 was received.
27. October Mortgage Tax receipts report received from Orange County.
28. H2O submitted water and sewer reports for the month of October.
29. A letter was received from New York State Parks Recreation and Historic Preservation regarding Farries Ave and Kaye Drive.

VI. REPORTS OF THE TRUSTEES

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

Each Trustee gives a monthly overview of their respectable department.

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. OPENING OF FARRIES AVENUE AND KAYE DRIVE AS A THROUGH ROAD

A letter was received from Kim McGoldrick-85 Farries Ave. regarding concerns of opening the road.

Email received from Heather Ubides regarding discrepancies with EAF form.

Letter from NYS Parks Recreation and Historical Preservation regarding impact by the opening.

VILLAGE OF FLORIDA
VILLAGE BOARD OF TRUSTEES
RESOLUTION TO DECLARE A NEGATIVE DECLARATION AND APPROVE THE
OPENING OF FARRIES AVENUE AND KAYE DRIVE
AS A THROUGH ROAD

WHEREAS, Farries Street (n/k/a Farries Avenue) extends from NYS Route 17A (North Main Street) to the boundary of the Glenview Hills subdivision (a/k/a Beazer). The portion of Farries Avenue that adjoins the Glenview Hills Subdivision was created by a subdivision by Schreiber Enterprises Inc. approved by the Planning Board May 26, 1981 and recorded in the Orange County Clerk's Office as Map 5652 on July 16, 1981. Said map contains an irrevocable offer of dedication. In addition, Farries Avenue has long been treated as a "street by use." (See Village Law § 6-626); and

WHEREAS, the Glenview Hill Subdivision is a 93-lot residential subdivision and was approved by the Village of Florida Planning Board in 2006 and filed as Map 613-06 in the Orange County Clerk's office on July 18, 2006. As part of that subdivision, a series of roadways were created and offered for dedication. One road identified as Kaye Drive leads from Hill View Drive to the end of Farries Avenue. Kaye Drive was constructed in the form of a "hammer head." Kaye Drive was formally accepted for dedication by the Village Board of Trustees via resolution dated November 14, 2018. The conveyance deed was recorded in the Orange County Clerk's office on December 21, 2018 in Liber 14504 at page 1698; and

WHEREAS, Farries Avenue and Kaye Drive directly abut making it possible for vehicles to travel from one to the other without leaving the pavement. From the time of Kaye Drive's construction to March 2023, the developer of the Glenview Hills subdivision maintained a chain across the connection to prevent through traffic; and

WHEREAS, the original Glenview subdivision plat provided for three access points, Randall (Route 94), Robert Drive and Farries Avenue. The access through Robert Drive was to connect to an adjoining subdivision via a proposed street called Wilbur Way; and

WHEREAS, the Wilbur Way access was never constructed and the subdivision to which it connected has long been abandoned.

WHEREAS, the Planning Board record in connection with the Glenview Hills subdivision make clear that if Wilbur Way was not constructed, the Farries Avenue intersection would have to be opened as a through intersection;

WHEREAS, the Village Board of Trustees takes notice of the previous SEQR determination by the Planning Board and its evaluation of Farries Avenue and Kaye Drive as a through intersection; and

WHEREAS, leaving Kaye Drive as emergency access only would be in direct contradiction of Village of Florida Code § 103-15(F) of the Village of Florida subdivision code which requires two points of access for more than 20 lots. In addition, § 103-15(B) directs subdivisions to be interconnected; and

WHEREAS, the existing chain and hammerhead turn around do not comply with the Fire Code of the State of New York; and

WHEREAS, the Village Board desires to convert the intersection of Farries Avenue and Kaye Drive to a through intersection pursuant to its authority as set forth in Village Law § 6-612 for the health, safety and welfare of Village residents; and

WHEREAS, as the owner of the fee of the intersection in question together with its status as a municipality in performance of its governmental activities, the proposed action is not subject to the Village of Florida zoning code and does not require approval by the Village of Florida Planning Board; and

WHEREAS, the Village Board of Trustees caused a Short Form Environmental Assessment Form dated September 4, 2024 to be prepared, declared Lead Agency for purposes of the State Environmental Quality Review Act (SEQR), and typed this action as an unlisted action by resolution dated September 4, 2024; and

WHEREAS, a duly noticed public hearing was held on October 2, 2024 at 7:30 p.m. at Village Hall, 33 South Main Street, Florida, NY 10921; and

WHEREAS, the Village Board considered and evaluated the following:

1. Public Comment
2. Planning Board records associated with the development of Glenview Hills including minutes, Expanded EAF, Negative Declaration, and Traffic Study prepared by John Collins Engineers, P.C., dated November 30, 2003, last revised July 27, 2004;
3. Police records concerning Farries Avenue.
4. Traffic Signal Warrant Study & Intersection Evaluation, dated August 2024 prepared by Kimley-Horn Engineering and Landscape Architecture.
5. Memorandum of John Canning, P.E., Kimley-Horn Engineering and Landscape Architecture of NY P.C. dated October 7, 2024 and attachments thereto.
6. Short Form Environmental Assessment Form, Part II (reviewed by the Village Board on October 16, 2024).

NOW THEREFORE BE IT RESOLVED, all of the "Whereas" clauses are hereby incorporated by reference; and

BE IT FURTHER RESOLVED, that upon review of the draft negative declaration attached hereto and made a part hereof, the Village Board of Trustees, hereby adopts a negative declaration for the reasons set forth in the Notice of Determination of Non-Significance pursuant to 6 NYCRR 617.7; and

BE IT FURTHER RESOLVED, that the Village Board of Trustees hereby declares Farries Avenue and Kaye Drive to be a through street pursuant to § 6-612 of the New York State Village Law and directs the Department of Public Works Superintendent to remove the chain and bollards consistent with this resolution; and

BE IT FURTHER RESOLVED, that the Village Clerk, Village Attorney and Village Engineer in conjunction with the Village's consulting traffic engineer shall refer the Traffic Signal Warrant Study & Intersection Evaluation to the New York State Department of Transportation for further

action on the same; said efforts shall be in cooperation with the Florida Union Free School District to the extent practicable.

Motion by: Trustee Fuller
Ayes: 5

Second by: Trustee Roach

Noes: 0

Abstentions: 0

2. Maple Ave Sidewalk Bids

The following bids were received:

**Maple Avenue Sidewalk Project - DASNY SAM Grant No. 7569
Tabulation of Bids**

Item No.	Description	Estimated Quantity	GMC Construction Services, Inc. New Hampton, NY		A-Tech Concrete Co. Edison, NJ		Consorti Bros. Newburgh, NY		TAM Enterprises, Inc. Goshen, NY		Boyce Excavating Slate Hill, NY	
			Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Bonds and Insurance	1 LS	\$8,200.00	\$8,200.00	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00	\$6,679.00	\$6,679.00	\$14,875.00	\$14,875.00
2	Cast-in-Place Concrete Curb	390 LF	\$55.00	\$21,450.00	\$65.00	\$25,350.00	\$60.00	\$23,400.00	\$71.00	\$27,690.00	\$86.00	\$33,540.00
3	Cast-in-Place Concrete Sidewalk	1,575 SF	\$21.00	\$33,075.00	\$16.00	\$25,200.00	\$22.00	\$34,650.00	\$32.00	\$50,400.00	\$23.00	\$36,225.00
4	Curb Ramp With Detectable Warning Surface	200 SF	\$32.00	\$6,400.00	\$17.00	\$3,400.00	\$3.00	\$600.00	\$77.00	\$15,400.00	\$29.90	\$5,980.00
5	Concrete Driveway Apron	300 SF	\$28.00	\$8,400.00	\$20.00	\$6,000.00	\$20.00	\$6,000.00	\$26.00	\$7,800.00	\$25.60	\$7,680.00
6	Pre-Cast Concrete Catch Basin With Frame and Grate	5 EA	\$3,200.00	\$16,000.00	\$9,500.00	\$47,500.00	\$7,000.00	\$35,000.00	\$6,195.00	\$30,975.00	\$11,455.00	\$57,275.00
7	HDPE Storm Drains	389 LF	\$90.50	\$35,204.50	\$110.00	\$42,790.00	\$215.00	\$83,635.00	\$112.00	\$43,568.00	\$112.00	\$43,568.00
8	Road Restoration											
8A	Sub-Base (NYS Item #304.05)	290 CY	\$89.00	\$25,810.00	\$110.00	\$31,900.00	\$65.00	\$18,850.00	\$82.00	\$23,780.00	\$127.00	\$36,830.00
8B	Type 1 Base Course (NYS Item #403.11)	18 TN	\$350.00	\$6,300.00	\$300.00	\$5,400.00	\$450.00	\$8,100.00	\$276.00	\$4,968.00	\$280.00	\$5,040.00
8C	Type 7 Top Course (NYS Item 403.19)	10 TN	\$620.00	\$6,200.00	\$350.00	\$3,500.00	\$450.00	\$4,500.00	\$481.00	\$4,810.00	\$285.00	\$2,850.00
9	PE Flared End Section	1 EA	\$1,950.00	\$1,950.00	\$2,500.00	\$2,500.00	\$500.00	\$500.00	\$637.00	\$637.00	\$2,530.00	\$2,530.00
10	Top Soil and Seed	1,950 SF	\$2.20	\$4,290.00	\$2.00	\$3,900.00	\$2.00	\$3,900.00	\$3.00	\$5,850.00	\$5.20	\$10,140.00
11	Traffic Control	1 LS	\$8,700.00	\$8,700.00	\$25,000.00	\$25,000.00	\$7,475.27	\$7,475.27	\$11,676.00	\$11,676.00	\$18,657.00	\$18,657.00
12	Cash Allowances											
12A	Reset Chain Link Fence	1 LS	\$0.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
12B	Concrete Testing	1 LS	\$0.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
12C	Soil Testing	1 LS	\$0.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
	TOTALS			\$196,979.50		\$247,440.00		\$249,110.27		\$249,233.00		\$290,190.00

VILLAGE OF FLORIDA
VILLAGE BOARD OF TRUSTEES
RESOLUTION TO AWARD CONTRACT
MAPLE AVENUE SIDEWALK PROJECT

WHEREAS, the Village of Florida is in receipt of a DASNY SAM Grant (Grant No. 7569) in the amount of \$ 75,000.00 for the partial construction of sidewalks along Maple Avenue; and

WHEREAS, the Village Board duly authorized, Sean Hoffman, P.E., Lanc & Tully Engineering and Surveying to prepare and circulate a bid package in accordance with General Municipal Law § 103; and

WHEREAS, the Village is in receipt of five bids as set forth in the Tabulation of Bids annexed hereto and made a part hereof; and

WHEREAS, the Village Board of Trustees declared lead agency for purposes of environmental review under the State Environmental Quality Review Act and by resolution dated July 3, 2024, adopted a Negative Declaration;

WHEREAS, the Village Engineer has reviewed all five of the bid packages and by letter dated October 1, 2024 has opined that GMC Construction Services, Inc., the apparent low bidder is capable of performing the necessary scope of work; and

WHEREAS, the Village Attorney has determined that the bid package of GMC Construction Services, Inc., satisfies the requirements of the bid specifications and is legally sufficient to grant an award;

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees hereby awards the project to GMC Construction Services, Inc. in an amount not to exceed \$ 196,979.50 without further Village Board authorization; and

BE IT FURTHER RESOLVED that the funds necessary for such contract shall be paid from the general fund and are hereby appropriated.

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to return bid bonds to all other bidders.

Motion to approve quote in the amount of \$196,979.50 from GMC Construction by *Trustee Olejniczak* second by *Trustee Fuller*

VOTE: YES 5 NO 0

IX. NEW BUSINESS

1. Local Law 2 2024

A LOCAL LAW TO REGULATE AUTOMATIC ALARMS WITHIN THE VILLAGE OF FLORIDA

VILLAGE OF FLORIDA
VILLAGE BOARD OF TRUSTEES
RESOLUTION TO ADOPT INTRODUCTORY LOCAL LAW 2 OF 2024,
A LOCAL LAW TO REGULATE AUTOMATIC ALARMS WITHIN THE VILLAGE OF FLORIDA

WHEREAS, the Village Board of Trustees desires to regulate alarm systems in the Village of Florida; and

WHEREAS, the Village Board of Trustees finds that repeated false alarms for emergency divert precious resources from the Village residents; and

WHEREAS, INTRODUCTORY LOCAL LAW 2 OF 2024, A LOCAL LAW TO REGULATE AUTOMATIC ALARMS WITHIN THE VILLAGE OF FLORIDA was duly introduced before the Board of Trustees of the Village of Florida on September 4, 2024 and a public hearing was held on October 2, 2024 and held open until November 6, 2024; and

WHEREAS revisions to said introductory local law were made by resolution dated October 16, 2024; and

WHEREAS, said action is a Type II action pursuant to SEQR (6 NYCRR 617.4 (c) (33)); and

NOW THEREFORE BE IT RESOLVED, that upon consideration of the public comment, the Village Board of the Village of Florida hereby adopts INTRODUCTORY LOCAL LAW 2 OF 2024 as LOCAL LAW 2 of 2024; and

BE IT FURTHER RESOLVED, that the Village Clerk shall cause a copy of said local law to be filed with the New York State Secretary of State and shall further cause a copy of said local law to be incorporated into the Village Code.

Motion by: Trustee Werner

Second by: Trustee Olejniczak

Ayes: 5

Noes: 0

Abstentions: 0

2. Re-levy of 2025 General Taxes to the County

Motion made by Trustee Fuller seconded by Trustee Roach to authorize the sale of General Taxes in the amount of \$32,581.22 plus \$2606.51 penalty to the County of Orange for relevy onto their taxes.

VOTE: YES 5 NO 0

3. Water Filtration Plant Upgrade Change order 1-TAM Enterprises

Motion to approve change order for of \$9338.84 for Water Filtration Plant upgrade.

Motion made by Trustee Werner seconded by Trustee Olejniczak

VOTE: YES 5 NO 0

4. Annual Menorah Lighting

Motion made by Trustee _____ seconded by Trustee _____ to hold the annual Menorah Lighting Ceremony on December _____, 2024 at 4:30 PM. TBD

5. Florida Union Free School District Sewer Contract

Motion to approve Mayor Harter to execute 2025 Sewer Contract for Golden Hill Sewer in the amount of \$36,000.00 for January 1, 2025- December 31, 2025

Motion by Trustee Fuller second by Trustee Olejniczak

VOTE: YES 5 NO 0

6. Town of Warwick IMA Parkland

Motion to approve IMA with the Town of Warwick for park funding in the amount of \$150,000.00. Motion by Trustee Werner second by Trustee Olejniczak

VOTE: YES 5 NO 0

7. Helpsy Bin Contract-*Motion to Table*

Motion to approve contract with Helpsy to collect unwanted material and clothing for one year beginning December 1, 2024. Village to receive .02 per pound collected.

TABLED Motion by Trustee Fuller second by Trustee Roach

VOTE: YES 5 NO 0

8. Water Filtration Plant Upgrade Change order Mehl Electric

Motion to approve change order for \$9551.11 for Water Filtration Plant upgrade. Motion made by Trustee Werner seconded by Trustee Fuller

VOTE: YES 5 NO 0

9. Solar Speed Sign Purchase

Quotes received

Elan City	Grainger	Barco
9000.00=3 units	4654.21/each	3128.85/each
3000.00/each		

Motion to approve quote in the amount of 9000.00 from Elan City

Motion by Trustee Fuller second by Trustee Roach

VOTE: YES 5 NO 0

10. Florida Fun Fest Committee Holiday Light Parade-TABLED

Motion to table Florida Fun Fest Committee request for 12/7/24 at 5:30 PM.

Motion by Trustee Fuller second by Trustee Roach

VOTE: YES 5 NO 0

11. Annual Christmas Tree Lighting

Motion to approve closure of North Main St on December 7th between the hours of 2:30 pm-6:30 pm

Motion by Trustee Werner second by Trustee Fuller

VOTE: YES 5 NO 0

12. Presbyterian Contract for Tree Lighting

Motion to approve Mayor Harter to sign agreement with the Presbyterian Church for Tree Lighting Ceremony

Motion by Trustee Werner second by Trustee Fuller

VOTE: YES 5 NO 0

13. Annual Halloween Parade Expenditure

Motion made by Trustee Werner seconded by Trustee Fuller to authorize the annual expenditure to the Florida Fire Department in the amount of \$500.00 for the annual Halloween Parade.

VOTE: YES 5 NO 0

14. Partners In Safety 2025 Consortium

Motion to approve Mayor Harter to sign 2025 contract with Partners in Safety Drug and Alcohol testing program

Motion by Trustee Fuller second by Trustee Roach

VOTE: YES 5 NO 0

15. New York Power Authority Contract-TABLED

Motion to approve NYPA contract for electric supply for 36 months beginning December 1, 2024. Savings of \$10,000.00/year.

TABLED Motion by Trustee Werner second by Trustee Roach

VOTE: YES 5 NO 0

16. MVP Healthcare Renewal 2025

Motion to approve the 2025 healthcare renewal with 8.15% increase.

Motion by Trustee Fuller second by Trustee Roach

VOTE: YES 5 NO 0

X. Meeting Schedule

November 20th, 2024 9:30 AM Work Session
December 4th, 2024 9:30 AM Work Session 7:30 Meeting
December 18th, 2024 9:30 AM Work Session
January 15th, 2025 9:30 AM Work Session 7:30 Meeting

XI. PUBLIC COMMENT

Greg Kimiecik Maple Ave wanted to know why the winning bid for the sidewalks was so much lower than the others.

Engineer Hoffman stated that he discussed that with the contractor and they are holding the original bid.

XII. ADJOURNMENT

Motion made by Trustee Werner seconded by Trustee Olejniczak to adjourn the meeting at 8:30 PM.

VOTE: YES 5 NO 0

**Respectfully submitted,
Colleen Wierzbicki**