**Work Session and Special Meeting September 20, 2023**

**Mayor Harter will call the meeting to order with the Pledge to the Flag at 9:30 AM**

**Board Members Present: Mayor Harter, Trustee Fuller, Trustee Olejniczak, Trustee Werner, Trustee Roach**

**Board Members Absent: none**

**Also, Present:**  **Clerk Wierzbicki, Attorney Cassidy, Engineer Hoffman, DPW Supervisor Brunswick**

**In Attendance:6**

1. **Library Expansion discussion**

**The Florida Public Library presented their plans for discussion and input regarding a possible expansion.**

1. **Crown Castle Agreement**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**RESOLUTION TO AUTHORIZE THE INSTALLATION OF EQUIPMENT ON VILLAGE OWNED CELL TOWER LOCATED AT 28 MEADOW ROAD, FLORIDA, NY**

**WHEREAS, the Village of Florida owns real property located at 28 Meadow Road, Town of Warwick, County of Orange, State of New York (Town of Warwick Tax Map: SBL 9-1-6 ) (“Sewer Plant Site);**

**WHEREAS, the Village entered into a Master Management Agreement (“Agreement”) with JNS Enterprises dated November 13, 2001 for the installation of a wireless communications tower to be located on Town of Warwick Tax Map SBL 9-1-6 owned by the Village of Florida (“Water Plant Site”);**

**WHEREAS, the Agreement was modified on October 30, 2002 for the purposes of allowing a temporary cellular tower to be located on 28 Meadow Road (“FIRST AMENDMENT TO THE AGREEMENT”); said modification was ratified by the Village Board of Trustees on November 12, 2002;**

**WHEREAS, the Agreement was further modified on January 13, 2003 for purposes of allowing a permanent wireless communications tower to be constructed at the Sewer Plant Site instead of the Water Plant Site (“Second Amendment to the Agreement); said modification was ratified by the Village Board of Trustees on April 8, 2003;**

**WHEREAS, the Agreement and all Amendments thereto were assigned by JNS Towers, LLC to Crown Communication LLC, pursuant to an Assignment and Assumption Agreement dated May 31, 2011;**

**WHEREAS, the Village Board has received a request from Crown Communications LLC to enter into a site license agreement for the purpose of installing, operating and maintaining equipment as described in that Agreement for the benefit of DISH Wireless L.L.C., the proposed licensee to collocate equipment at the site.**

**WHEREAS, such application is a request for a modification of an existing wireless tower that does not substantially change the physical dimensions of such tower and is not subject to planning board review pursuant to § 1455(a) of the Communications Act;**

**WHEREAS, the application has been reviewed by the Village Engineer and has been found to be acceptable;**

**WHEREAS, the Site License Agreement has been reviewed by the Village Attorney and found to be acceptable.**

**WHEREAS, the Village has received and reviewed the following:**

**1. Correspondence dated May 9, 2019, including plan set prepared by French & Parrello Associates, dated August 29, 2018 with 5 sheets.**

**2. Structural Analysis prepared by Tower Engineering Professionals, dated August 24, 2018 (41 pages).**

**2. Proposed Second Amendment to the Tower Space Lease Agreement**

**NOW THEREFORE BE IT RESOLVED, that the Village Board hereby declares that the current application is immune from zoning and permitting after weighing the four factors set forth in In re County of Monroe and based upon the prior determination of the Village Board;**

**BE IT FURTHER RESOLVED that the proposed action is a Type II action under SEQR and no further environmental review is required;**

**BE IT FURTHER RESOLVED that the Village Board of Trustees authorizes DISH Wireless LLC to install the equipment subject to a building permit issued in conformity with the NYS Uniform Code and a structural analysis to the satisfaction of the Village Engineer.**

**BE IT FURTHER RESOLVED that the Village Board of Trustees hereby approves the Site License Agreement and authorizes the Mayor to sign the same.**

**Motion by: Trustee Olejniczak**

**Second by: Trustee Werner**

**Vote: Aye 5 Nay 0 Abstain \_\_\_\_\_\_\_**

1. **Golden Hill Glenmere Park Photo Session**

**Motion to approve the waiver of fees for October 14-15, 2023 for Holiday Photo Shoot. They are also requesting park being closed to public from 10am-4pm. Motion by Trustee Olejniczak second by Trustee Fuller**

**VOTE YES 5 NO 0**

1. **AED quote for Basketball Pickleball Court**

**Motion to approve quote in the amount of $2,385.00 from Gregory W. Moyer Fund for a Cardiac Science G5 AED Package including outdoor cabinet.**

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

**VOTE YES 5 NO 0**

1. **Retaining Wall quotes**

**Motion to approve quote in the amount of $11,600.00 by Landworx. Motion by Trustee Olejniczak second by Trustee Fuller for the retaining wall alongside the courts**

**Kimiecik Landscaping LandWorx Dan’s Landscaping**

**Florida, NY Goshen, NY Florida, NY**

**$15,900.00 $11,600.00 $13,800.00**

**VOTE YES 5 NO 0**

1. **Building Inspector training**

**Motion to approve TRI County NYSBOS Conference attendance for Building Inspector Pawliczek in Kingston NY November 14-17, 2023. Cost not to exceed $700.00**

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

**VOTE YES 5 NO 0**

1. **Parking Lots Sealing/Striping**
2. **Motion to approve quote in the amount not to exceed $3500.00 for the striping of Pickleball Village Hall/Cohen Circle from APlus Striping Inc**

**Motion by Trustee Fuller second by Trustee Roach**

**VOTE YES 5 NO 0**

1. **Motion to approve quote in the amount not to exceed $18,450.00 sealing of Village Hall from M & S Asphalt**

**Quotes received**

**M & S Asphalt $18,450.00**

**APlus $19,410.00**

**SealCoat USA Inc $25,200.00**

**Motion by Trustee Fuller second by Trustee Roach**

**VOTE YES 5 NO 0**

1. **Court Audit**

**Motion at accept court financial documents as presented**

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

**VOTE: YES 5 NO 0**

1. **Executive Session**

**Motion to enter into Executive Session to discuss pending litigation. Motion by Trustee Fuller second by Trustee Werner**

**VOTE YES 5 NO 0**

**Motion to exit Executive Session and return to Special Meeting**

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

**VOTE YES 5 NO 0**

1. **Elizabeth Cassidy Retainer Article 78(revised vote)**

**Motion to approve retainer at the following amounts**

**Elizabeth K. Cassidy, Esq. $225.00 per hour**

**Paralegal $85.00 per hour**

**Legal Assistant $60.00 per hour**

**Postage/Federal Express/UPS At Cost**

**Travel**

**$100.00 per hour plus**

**Applicable IRS Mileage Rate plus any costs**

**(tolls, parking, etc)**

**Miscellaneous expenses not described above**

**At cost**

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

**VOTE Yes 5 No 0 Absent**

1. **Adjournment**

**Motion to close Special Meeting by Trustee Roach seconded by Trustee Olejniczak at 11:30 AM**

**VOTE Yes 5 No 0**

**Colleen Wierzbicki**

**Village Clerk**