

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**April 14, 2020**  
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**7:30pm – Regular Meeting**

**REGULAR MEETING**

**ROLL CALL**

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Sandra Daly, Trustee Lou Medina, Village Clerk Jane Leake and Village Attorney, Dave Darwin

**ABSENT:**

The Mayor asked everyone to stand for the Pledge of Allegiance.

Mayor stated I have confirmed with the Village Counsel that tonight's meeting has been convened in accordance with the Governor's March 13, 2020 Executive Order 202.1, which suspends certain provisions of the Open Meetings Law to allow a Municipal Board to convene a meeting via teleconferencing. In accordance with the Executive Order, the public has been provided with the ability to listen to and participate in tonight's meeting and a transcript will be provided at a later date. I have done a roll call of the Board Members and there is a quorum present for this meeting. I have also confirmed with the Village Clerk that this meeting has been duly noticed. We have fulfilled our legal notice requirements by posting Notices on the Village's Bulletin Boards, Village Hall Entrance Door, Village Website and it was sent to the Village Email Recipients.

**APPROVAL OF MINUTES**

Mayor asked if there are any changes or corrections to the minutes of March 10, 2020 Regular Board Meeting?

**MOTION** was made by Trustee Farrell to accept the minutes of March 10, 2020 Regular Board Meeting.

**SECOND** was made by Trustee Medina

<b>AYE:</b> Trustee Farrell	<b>NAY:</b>
Trustee Daly	NONE
Trustee Medina	
Trustee Chichester	

**INFORMATIONAL ITEMS:**

- This evening's bills were audited individually by the Board Members at separate times:

Trust & Agency	\$	1,011.04
General Fund	\$	72,370.50
Water Fund	\$	63,534.80
Capital Building Fund	\$	9,346.27

Upcoming Meeting Dates:

Zoning Board of Appeals – May 6, 2020  
Planning Board – May 18, 2020  
Village Board – May 12, 2020

- The Village is still picking up brush on a weekly basis. Ask that you put it at the edge of your property, not in the street or blocking a sidewalk.
- Water Customers can sign up for email notices on the Village Website where there is a link to it.
- Orange & Rockland has put out information because there is a number of people out there trying to fraud the customers, threatening shut offs. If you get any kind of a call regarding your Orange & Rockland bill contact them before you do anything

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- From the State Information on COVID 19, phone numbers and websites are listed on the Village Website. There is a wealth of information there and also on the Orange County Website.
- Clean Sweep which was scheduled for this coming Saturday has been canceled. Don't know if we will try and do something later in the year or just put it off to next year.
- The Spring Food Drive that the Village was doing has been suspended. We do plan on trying to do something later this year.
- Village Hall Demolition – the building itself has been completely taken down. There is some restoration work in the ground and unfortunately a buried oil tank was discovered which was leaking. It has been addressed and we are still waiting for results before we can move any further.
- 2 Maple Avenue Demolition is being held up by the Department of Labor. They do not have enough people to address the paperwork with everything going on at this time.
- The approved seminars – Water Operators this past week and the Building Inspector's one scheduled for next week have been canceled. They will be rescheduled at a later time.
- We are asking everyone to cooperate with the Social Distancing when out of your homes. The Edward B. Shuart Jr. Memorial Playground and Mary Harriman Park remain open and will remain opened as long as they are not overcrowded. If it becomes a problem, we will have to close it, but we prefer not to.
- The Village Hall, Court and DPW are operating with limited work force in attempt to minimize the risk of spreading the virus if an employee shall get it. Everyone that is working, not only for the Village, and any professions that are working we want to thank them for all the work they are doing during this crisis. It is not only doctors and nurse, but everyday people working at the grocery stores, any kind of medical field and right down to the sanitation people. We would have a heck of a mess if they weren't working. I would also like to thank Tony, the Manager at the Home Depot on Larkin Drive. He made a significant donation to the Village of Harriman last week with some personal protection equipment. I would like to recognize him and thank him for that in a time when we are having trouble getting it for our people he came up with a donation for us which was very nice. If you have a need to contact the Village for any reason the Office Hours are Monday – Friday from 8 – 3pm or you can email us any time and we will get back to you. In an event of a Water or Highway Emergency when the Office is not open, please call the Village Police at 845-782-6644.

**DEPARTMENT REPORTS**

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report - \$30.00 in funds

Water Account Adjustments – see attached report

Court Reports – see attached reports

Building Department – see attached report

\$ 750.00	Building Permits
\$ 750.00	Violation Searches
\$ 250.00	DPW Street Opening Application
<u>\$ 300.00</u>	Periodic Inspection Fees
\$ 2,050.00	<b>TOTAL</b>

Mayor stated the Public Hearings we had previously scheduled for tonight we had canceled.

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**LOCAL LAW #6 & #7 2020**

Mayor stated I would like to schedule the Public Hearing for Local Law #6, Village View Drainage District for the May 12, 2020 meeting at 7:20pm.

**MOTION** was made by Trustee Chichester to approve scheduling the Public Hearing for Local Law #6 for May 12, 2020 at 7:20pm.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

Mayor continued and Local Law #7 to repeal Local Law #1 or 2020 the Tax Levy Cap for May 12, 2020 at 7:25pm.

**MOTION** was made by Trustee Daly to approve scheduling the Public Hearing for Local Law #7 for May 12, 2020 at 7:25pm.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**MOTION TO PAY BILLS**

Mayor stated since the bills were individually audited by the Board of Trustees in order to limit personal contact. I would like to have a motion to pay those bills which were previously audited.

**MOTION** was made by Trustee Medina to approve paying the previously audited bills.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**BID AWARD – TOW BEHIND GENERATOR**

Mayor stated the Village had gone out to bid for this. We received two bid backs. One was from Peak Power in the amount of \$88,450.00 and the other was from Technology International in the amount of \$199,350.00. In addition to Technology International being significantly more expensive there were several items that they did not meet the requirements on in the bid document which Peak Power did. One of them that stood out is we requested a 10 weeks delivery date and although it could be delayed with everything going on Technology International stated it would be no less than 26 weeks.

**MOTION** was made by Trustee Daly to accept the bid from Peak Power in the amount of \$88,450.00.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

Mayor continued this money will be returned to the Village that we spend on this. This was the last grant that I was able to get through Senator Larkin.

**CREATE SERGENAT POSITION**

Mayor stated we need to create a second Sergeant Position.

**MOTION** was made by Trustee Farrell to approve creating a second Sergeant Position.

**SECOND** was made by Trustee Medina

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**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**APPOINT SERGEANT**

Mayor stated I would like to appoint John Levinson to the position of Sergeant effective August 16, 2020 with a salary accordance with the PBA Contract.

**MOTION** was made by Trustee Chichester to appoint John Levinson to the Sergeant position effective August 16, 2020 with a salary accordance with the PBA Contract.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**PARK REQUEST**

Smith/Moore – June 13, 2020 11am – 7pm

**MOTION** was made by Trustee Farrell to approve the park request contingent upon the quarantining, social distancing and gathering of large groups being lifted by then.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**44 NORTH MAIN STEET – FIRM REVISION**

Mayor stated the applicant is requesting that according to Section 82-14b (2) of the Village Code that we apply to FEMA for a conditional firm and floodway revision. The applicant would be responsible for all work, costs of this application and it would be at their risk. The Village's only participation would be to sign the application. The Village's Engineer, John Russo has reviewed the information provided and stated this would be the next step for the applicant.

Attorney Darwin replied according to the regulations that govern this application process there needs to be a Public Notice of intent to revise the Floodway. A letter has to be sent to the State regarding the revisions and there has to be documentation of approval of the revision flood plan by the appropriate State Agency. So I think the Public Notice and the letter to the State would probably, logically precede the admission of the application and I would suggest that those documents be prepared by the applicant at the applicants expense for review by the Board, the Village Attorney and the Village Engineer.

Mayor asked we would do that prior to authorizing this?

Attorney Darwin replied you can authorize it, but before you submit the application itself the other things would have to be taken.

Mayor stated so we can approve this subject to the Public Notice and letter to the State being acceptable to the Village Board and Village Attorney?

Attorney Darwin replied correct.

**MOTION** was made by Trustee Chichester to approve the Mayor signing the application and all work, expenses of this, risks be borne by the applicant and in according to the Regulations that govern this application process with the Public Notice of Intent to review the Floodway, documentation of approval

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of the revisions of flood plan by the State Agency and those documents be prepared by the applicant at the applicants expense for the Boards, Village Attorney and Engineer review.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**WATER LATE FEES & SHUTOFF's**

Mayor stated due to the State of Emergency of COVID 19 the Village Board is waiving all late fees which would have been imposed on March 30, 2020 and water shut off's which would have been scheduled at tonight's meeting will be waived until further notice. We are temporarily suspending Sections 74-5 I 2a, 74-7 D 1b, 74-7 D 2b & c.

**MOTION** was made by Trustee Daly to approve waiving the March 30, 2020 late fees and water shut off's until further notice and temporarily suspend Sections 74-5 I 2a, 74-7 D 1b, 74-7 D 2b & c.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**WATER BILLS – RE-LEVY**

Mayor stated this has to do with re-levying unpaid bills to the Village, which will be relevied on the Village Tax bill if not paid in full by the end of the month.

**MOTION** was made by Trustee Daly to approve relevying unpaid bills as of the end of the month to the Village Taxes.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**BUDGET TRANSFERS**

Mayor stated we have Budget Transfers from the Treasurer in a memo dated April 9, 2020.

**MOTION** was made by Trustee Farrell to approve the Budget Transfers as outlined in the Treasurers memo dated April 9, 2020.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**PBA MEMORANDUM OF AGREEMENT**

Mayor stated this has been reviewed and approved by the Labor Attorney.

**MOTION** was made by Trustee Medina to accept the PBA Memorandum of Agreement.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

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**DPW MEMORANDUM OF AGREEMENT**

Mayor stated this has been reviewed and approved by the Labor Attorney.

**MOTION** was made by Trustee Farrell to accept the DPW Memorandum of Agreement.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

Mayor stated I want to thank Deputy Trustee Farrell and Trustee Medina for sitting through the negotiations on these two contracts with me. It was much appreciated.

**ATTORNEY REPORT**

Attorney Darwin stated the NYS Bar Association State and Local Government Section has been hosting a series of Webinars on the affect of the COVID 19 issues on Local Governments which I have been participating in those and passing along any information that I think is relevant to the Village to the Mayor. They have been very helpful.

Trustee Chichester asked the house on South Main; I know we are under COVID 19, but can we move ahead with that regardless of this?

Attorney Darwin replied it depends on in what direction you want to move it. If the Board was considering a condonation, all the court filings have been suspended so the preliminary process could begin, but nothing can be filed in court until the suspension on Court filings has been lifted and I don't know when that is going to be. There are things that can be done between now and then if the Board wanted to proceed in that direction.

Trustee Chichester asked that would be in preparation when they lift those, and we get back to normal?

Attorney Darwin replied correct. If there is going to be a proceeding filed in Court that could be ready to go, but it can't be filed until the suspension of Court filings in lifted.

Trustee Chichester stated we have been sitting so long waiting for that and my thought was that maybe we should move along.

Trustee Farrell responded we have been waiting a long time, but I would like to think a little bit about it.

Trustee Daly replied I agree.

Mayor stated we will put it off for now and bring it up at a later date.

**PUBLIC COMMENT**

Irma Escallier – Planning Board Chair – regarding the project at 44 North Main before you send it to the State I noticed that in his pages he has his EAF and the page directly following is a tool (EAF Mapper) which is a screen tool intending to assist the project sponsors and reviewing agencies in preparing an EAF. It is showing a little map of the site plan for the Village and it is showing that that particular Lot and Block is in the Village of Monroe and not the Village of Harriman, is that going to confuse the issue?

Mayor replied I thought that was previously addressed because I know that did come up before, but I will verify it.

Jim Coleman – 4 Maple Avenue – I have seen progress with the Heritage Trail and especially the building of the platform over the bridge, I was wondering if there were any further details or when that might be opening?

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Mayor replied the County has suspended that work until after all the restrictions with the COVID 19 are lifted because it takes people working in very close proximity to each other to complete the project.

Ms. Coleman stated so close yet so far.

Mayor stated I thank everyone for participating this evening. Thank you, Lou, for handling all the logistics of the call.

**MOTION** was made by Trustee Medina to adjourn Regular meeting at 8:02pm.

**SECOND** was made by Trustee Farrell

**ALL IN FAVOR**

Respectfully submitted by: \_\_\_\_\_  
Jane Leake, Village Clerk