



Village of Harriman

1 Church Street

Harriman, New York 10926

TEL: (845) 783-4421

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VILLAGE BOARD MEETING

August 9, 2022

7:00PM – AUDIT BILLS

7:30PM – REGULAR MEETING

AGENDA

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – July 12, 2022**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. DPW TRAINING REQUEST**
- 6. WATER ACCOUNT REQUESTS a)236 b) 252 c) 318 d) 634 e) 519**
- 7. PARK REQUEST a) Schweizer**
- 8. SET PUBLIC HEARING FOR CHAPTER 82 AMENDMENTS – Flood Damage Prevention**
- 9. AUTHORIZATION TO SIGN WATER AGREEMENT – PSC HARRIMAN LLC (CubeSmart)**
- 10. AUTHORIZATION TO SIGN ADG PROPOSAL – 4 South Main Demo**
- 11. BUDGET TRANSFERS AND ADJUSTMENTS**
- 12. ATTORNEY COMMENT**
- 13. PUBLIC COMMENT**
- 14. POSSIBLE MOTION TO ENTER EXECUTIVE SESSION**

UPCOMING MEETING DATES:

PLANNING BOARD MEETING:

ZONING BOARD OF APPEALS MEETING:

VILLAGE BOARD MEETING:

August 15, 2022 – Cancelled - No Apps

September 7, 2022

September 13, 2022

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7:00pm – Audit Bills
7:30pm – Regular Meeting

REGULAR MEETING

ROLL CALL

Mayor Lou Medina, Deputy Mayor Carol Schneider, Trustee Bruce Chichester, Trustee Wayne Mitchell, Trustee Sandra Daly, DPW Superintendent, Kyle Livsey, Village Clerk Jane Leake, Chief, Patrick Tenaglia, and Village Attorney, Dave Darwin

ABSENT NONE

The Mayor asked everyone to stand for the Pledge of Allegiance and to please remain standing for a moment.

Trustee Chichester stated as the longest Board Member I go back when Ben was our Village Attorney, I guess everybody knows he passed recently so I ask that we have a moment of silence for our former Attorney.

APPROVAL OF MINUTES

Mayor asked if there are any changes or corrections to the minutes of July 12, 2022, Regular Board Meeting?

MOTION was made by Trustee Daly to accept the minutes of July 12, 2022, Regular Board Meeting.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester	NAY:
Trustee Mitchell	NONE
Trustee Daly	
Deputy Mayor Schneider - Abstained	

INFORMATIONAL ITEMS

This evening's bills were audited:

	<u>2022-23</u>
Trust & Agency	\$ 421.28
General Fund	\$ 294,137.44
Water Fund	\$ 22,979.27
Engineering Fees	\$ 14,890.14

- Up Coming Meeting Dates:
Planning Board – August 15, 2022 – Cancelled – No Applicants
Zoning Board of Appeals – September 7, 2022
Village Board – September 13, 2022
- Village Office hours are 8am–4pm and by appointment from 7-8am. Phone numbers and contact information can be found on the villageofharriman.org website.
- A lockbox is outside the Village Hall entrance for dropping off water payments or any other correspondence for the Village Hall Staff. However, we ask that you please do not leave any cash payments. The drop box is emptied on a regular basis.
- Residents and the public can also sign up on the Village website to receive email alerts about Village Information and Community Events or information regarding water billing updates.

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- Brush Pick-Up continues – please place brush untied at the edge of your property with the butt end out and do not place on the street and we do not except grass clippings.
- The August water bills went out and are due by August 30, 2022 to avoid penalties.
- Some water customers may have received a special insert in the August water bill regarding the new Obsolete Meter Charge that takes effect November 1, 2022. If you have not had your meter upgraded to the new digital meter, you would have received this notice. Water customers who have not yet scheduled an appointment to replace the old water meter with a new digital meter or have repaired their equipment to allow for the upgrade can schedule an appointment by calling Village Hall at 845-783-4421. Both the meter and the installation are at no cost to the customer.
- Effective August 1st we did announce a Mandatory Water Restriction due to the lack of rain and the persistent hot, dry weather. A reminder no outside water or irrigation is allowed and any high-volume water usage is prohibited until further notice.
- The Annual School Supply Drive kicked off last month. New school supply donations can be dropped off at Village Hall from Monday through Friday 8-4pm or at the Police Department anytime. We will be working with the Monroe Woodbury School District to have the donations distributed to children that need them the most. The drop off deadline is August 22, 2022.
- The Board received the Treasurers AUD Report for the 2021-2022 Annual Update Document which was completed by the Treasurer and distributed to the Board. I want to thank Marie Coimbra for completing this very large fiscal project.
- Family Fun Day is scheduled for Saturday, September 17th from 1-4pm. We are including some more new activities, new food items and lots of give aways. We are expecting it to be our best year yet. All Harriman residents are invited to the 5th Annual Family Fun Day.
- AGENDA ADDITIONS:
 - 10a) SEQRA Determination and Resolution
 - 11a) Award of the HH3 Transfer Pump Bid

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report - funds \$15.00

Water Account Adjustments – see attached report

Court Reports – see attached report June - \$8,455.00 – Village received \$6,015.00

July Court Total - \$10,965.00

Building Department – see attached report

\$ 325.00	4 Building Permits
1050.00	7 Violation Searches
50.00	1 DPW Permit Application Extension
<u>25.00</u>	1 Rental Registration
\$ 1450.00	

DPW TRAINING REQUEST

Mayor stated the Board received a request from Ron Krzywicki requesting attendance to the Annual HVWWC Trade Show and Seminar this Thursday, August 11th from 8-2pm. To be attended by himself, Danny Hedges and Chris Wendt at a cost of \$40.00 each.

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MOTION was made by Trustee Chichester to approve the HVWWC Seminar Request for August 11th from 8-2pm at a cost of \$40.00 each attendee: Ron Krzywicki, Danny Hedges and Chris Wendt.

SECOND was made by Trustee Daly

AYE: Trustee Chichester
Trustee Daly
Trustee Mitchell
Deputy Mayor Schneider

NAY:
NONE

WATER ACCOUNT REQUESTS

Account 236 – Deferred Payment Plan and Penalty Waiver

MOTION was made by Trustee Mitchell to approve the deferred payment plan and June penalty waiver once plan is complete for Account 236.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Mitchell
Trustee Daly
Deputy Mayor Schneider

NAY:
NONE

Account 252 – Deferred Payment Plan

MOTION was made by Trustee Schneider to approve the deferred payment plan for Account 252.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Mitchell
Trustee Daly
Deputy Mayor Schneider

NAY:
NONE

Account 318 – Penalty Waiver

MOTION was made by Trustee Daly to approve a 1x penalty waiver on Account 318.

SECOND was made by Deputy Mayor Schneider

AYE: Trustee Chichester
Trustee Mitchell
Trustee Daly
Deputy Mayor Schneider

NAY:
NONE

Account 634 – Recalculate Consumption Rate

MOTION was made by Deputy Mayor Schneider to approve a recalculation on the consumption to the lowest rate for the August bill on Account 634.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Mitchell
Trustee Daly
Deputy Mayor Schneider

NAY:
NONE

Account 519 – Penalty Waiver

MOTION was made by Trustee Daly to approve a 1x penalty waiver on Account 519.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Mitchell
Trustee Daly
Deputy Mayor Schneider

NAY:
NONE

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PARK REQUESTS

Schweizer – August 28, 2022

MOTION was made by Trustee Chichester to approve Schweizer Park Request for August 28, 2022.

SECOND was made by Trustee Daly

AYE: Trustee Chichester	NAY:
Trustee Mitchell	NONE
Trustee Daly	
Deputy Mayor Schneider	

SET PUBLIC HEARING FOR CHAPTER 82 AMENDMENTS – Flood Damage Prevention

Mayor stated this is to set a public hearing for Chapter 82 Flood Damage Prevention Amendments on September 13th at 7:25pm relating to a FEMA issue letter regarding Flood Plain Map revisions.

MOTION was made by Mayor Medina to approve setting a public hearing on Chapter 82 Flood Damage Prevention Amendments for September 13th at 7:25pm.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester	NAY:
Trustee Mitchell	NONE
Trustee Daly	
Deputy Mayor Schneider	

AUTHORIZATION TO SIGN WATER AGREEMENT – PSC Harriman LLC (CubeSmart)

Mayor stated this is a Water Agreement with PSC Harriman LLC also known as CubeSmart for a project that has received site plan approval and being developed on 52 Commerce Drive South. This is a Water Agreement to allow water connection. We have received tap in fees and the capital contribution of \$70,340.00. This was originally sent to the Board as a draft and there have been no changes to the draft.

MOTION was made by Deputy Mayor Schneider to approve authorizing the Mayor to sign the Water Agreement for PSC Harriman LLC (CubeSmart).

SECOND was made by Trustee Mitchell

AYE: Trustee Daly	NAY:
Trustee Mitchell	NONE
Trustee Chichester	
Deputy Mayor Schneider	

SEQRA DETERMINATION and RESOLUTION

Mayor stated this is related to the demo of 4 South Main. Mayor read:

A RESOLUTION OF THE VILLAGE OF HARRIMAN BOARD OF TRUSTEES PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT DECLARING ITSELF LEAD AGENCY AND DETERMINING THAT THE PROPOSED DEMOLITION OF A RESIDENTIAL BUILDING AND OTHER SITE IMPROVEMENTS AT 4 SOUTH MAIN STREET, HARRIMAN, NEW YORK, WILL NOT HAVE ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

WHEREAS, the Village of Harriman proposes to proceed with the demolition of an existing single family residential dwelling currently owned by the Village of Harriman, located at 4 South Main Street, Harriman, New York, SBL no. 103-3-2, and other site improvements on said property including driveways, sidewalks, drainage structures and/or fences and provide a minimum of 3" of topsoil and seed after the completion of demolition; and

WHEREAS, in compliance with the State Environmental Quality Review Act (SEQRA) and the SEQRA regulations, the Village of Harriman intends to serve as Lead Agency for the action, has made a determination that the proposed action is an Unlisted Action under SEQRA, and has conducted and environmental review of the proposed Action, and completed a short Form Environmental Assessment Form ("EAF");

NOW, THEREFORE, it is hereby

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RESOLVED, that this Village Board hereby (1) declares itself lead agency for the proposed Action; (2) makes a determination that the Action is an unlisted action under SEQRA; and (3) makes a determination that the proposed action will not result in any potential, significant, adverse environmental impacts.

MOTION was made by Trustee Chichester to approve the SEQRA Determination and Resolution.

SECOND was made by Trustee Daly

AYE: Trustee Daly
Trustee Mitchell
Trustee Chichester
Deputy Mayor Schneider

NAY: NONE

AUTHORIZATION TO SIGN ADG PROPOSAL – 4 South Main Demo

Mayor stated the Anderson Design Group has submitted a proposal to the Board for the demolition and documentation services on the above-mentioned project 4 South Main Street Demolition.

MOTION was made by Deputy Mayor Schneider to approve authorizing the Mayor to sign the ADG Proposal.

SECOND was made by Trustee Mitchell

AYE: Trustee Daly
Trustee Mitchell
Trustee Chichester
Deputy Mayor Schneider

NAY: NONE

BUDGET TRANSFERS

Mayor stated the Board received a Budget Transfer and Adjustment request from the Treasurer dated August 3, 2022. Mayor read the memo.

MOTION was made by Trustee Daly to approve the Budget Transfers and Adjustment that are outlined in the Treasurer's memo of August 3, 2022.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Mitchell
Trustee Daly
Deputy Mayor Schneider

NAY: NONE

AWARD THE HH3 TRANSFER PUMP

Mayor stated the Board has previously approved the authorization to go out for bid for transfer pumps for the installation and development at the Harriman Heights 3 Well Pump-House. Two bids we received and were opened last Thursday. One bid from TAM Enterprises in the amount of \$194,370.00 and the other bid was from Eventus in the amount of \$205,000.00. I would like to accept the lowest bid.

MOTION was made by Deputy Mayor Schneider to approve accepting and awarding the bid to the lowest bidder, TAM Enterprises in the amount of \$194,370.00 for the installation of transfer pumps as documented in the bid packet.

SECOND was made by Trustee Mitchell

AYE: Trustee Chichester
Trustee Mitchell
Trustee Daly
Deputy Mayor Schneider

NAY: NONE

ATTORNEY REPORT

Attorney Darwin stated I spoke with Danielle Sargente from Andersen Design Group about the proposal contract for the design of the new Government Center. They accepted all of our changes. We had a few

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tweaks to go over today and she said she will be getting out a final version of the proposal contact tomorrow.

PUBLIC COMMENT

Gina Flores – 39 Melody Lane – I have couple concerns – I am going to start with the biggest issue that a bunch of us on the block have an issue with. I was planning on being here with my other neighbors but unfortunately only two of us can make it today. So, Walmart – the noise shipping containers and the movement in the back of Walmart has become a very concerning issue. So much, so that a lot of us have reached out wits end with the noise. It is not just actual factory noise of loading and unloading shipping containers. It is a matter of our houses shaking. Glasses in our cabinets knocking over. It sounds like an earthquake. I was told Walmart falls into Woodbury. I have made complaints. I have called them numerous times. This pass week they started at 6am on Saturday morning. My 3-year-old and our whole entire house woke up. My 3-year-old screaming because it is a very loud noise. I have video of the noise to where you can hear the cabinet shaking, my whole house shaking. They will do it 6 in the morning consistently, 10pm. It doesn't matter what time it is, there is absolutely zero consideration for what time they are unloading these shipping containers. I didn't even know they were shipping containers. I thought someone was digging into the ground until literally it took driving around back there to see them dropping shipping containers and dragging them. So, there is that. There's cars in the back that race behind Walmart at all hours. Whether they are screeching their tires out or blasting their music. This would be okay if my taxes were still \$8,000.00 like they were when I moved here in 2017. However, my taxes have sky-rocketed given the cost in my neighborhood which is also an issue that I am concerned about because of the inflation in the market and some of the houses on my block selling for a half of million dollars. I am concerned that my taxes are going to reach an unaffordable price. My neighbors just got their assessment and theirs has touched \$15,000.00. Now mind you they share the same noise complaint that I do, given the fact that their whole house shakes and they live in what feels like is an industrial zone. So, it is very concerning that my taxes are going to reach the price someone would pay for acres of land and more square footage on a house. Yes, I did move to an area that had Walmart, but this was not something that I realized was going to oppose and issue. Also, when I moved here the taxes were more affordable and within 4 ½ years they have skyrocketed. My poor neighbor bought a year and a half ago and their taxes just jumped \$2,500.00 and that has caught them off guard because they were one of the people that paid near a half a million dollars for the house. The Walmart issue is an issue that I share with a lot of my neighbors. Another concern we had was the notice of the mandatory water restriction. I have an issue with the dialogue in that. We shouldn't be mandating tax payors to turn off their water. To me that is concerning or to restrict their water that is concerning, in that I think we can all concur that our lawn is brown. All it takes is one person passing by and flicking a cigarette on my lawn and that is like lighter fluid. Not only does my house go up, but the house next to me goes up because we are so close together and I have seen the house, when I first moved here in 2017, I saw the house on my block that did go up in flames and it did effect both neighboring houses. So, to me that is concerning. I don't want neighbors of mine to be afraid to water their lawns to maintain their property so something like that does not happen. Now with passing out information to there being a water issue I am suggesting that we should be restricting our water usage to only necessary things. I agree with that or maybe giving mandatory restrictions to renters, I agree with that. Now the question was opposed that renters pay towards landlords' taxes that they pay when I called to complain about this. However, I disagree because I don't feel that you can compare a residential single homeowners' tax to the taxes of someone of a multi residential dwelling would pay. In itself they have tax deductions for having rental properties or whatever it might be. It is nothing to compare to an individual and what they pay in their property taxes. So, I felt that restrictions should be given to those or more enforced to those who don't have property or land to protect. I feel that about my neighbors not watering their lawn proposes an effect to my house if someone flicks a cigarette or my grass goes on fire. The fact that I have been here since 2017 and I have never experienced any sort of mandatory water restriction also opposes a concern with me with the crowding in the area that has transpired in the years that I have moved here. When I moved here in 2017, I didn't see all the new construction that we have now. So, I am aware that we do

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have Palm Tree. My question is, is Palm Tree taking in our Sewer and Water Supply. Is that some sort of infrastructure that the Village didn't prepare for because the concern here is, where getting brown outs on our block. Our power has gone out more often. Now we are having water restrictions. Are we over crowding our neighborhood and not prepared for new infrastructure. While new infrastructure is very good for our neighborhood to progress, I do understand. We don't want to take away things that people actually moved here for. I moved here for affordability and feel like it is becoming unaffordable at this point and I shouldn't feel that way so early on after only being here since 2017. That was just as concerning to me as well and then with the over crowdedness we have more people passing on our block. There are people who speed through on our block. I don't know if speed bumps are a thing that happens on Melody Lane, not sure if those types of things are possible. There is Mercedes Benz, they put a gate on one end of the block. I was wondering if residents would be able to have that access key because it closed off a whole entrance to the actual residents who live on that street and it is kind of irritating. I understand that maybe it blocks out other people from coming down our street which is why I asked for an access key or some sort of code that we could put in. While it does benefit it is also a disadvantage to the residents. Those are actually my concerns that I just wanted to express and maybe get some sort of prospective on. What can we expect with the new given costs in the area? Are we going to be pushed out because we can't afford taxes? Are we going to maintain this over crowding that is transpiring in the neighborhood and is there any kind of resolution. Example: if I am watering my lawn is someone going to turn my water off or give me a fine. I thought that was very harsh for a tax paying homeowner and not very sensitive whatsoever to those who want to maintain their property correctly.

Mayor replied so this is probably your first time at our public meetings, so I just want to at least let you know the way the process works. Public Comment is an opportunity for the public to address the Board. We don't have a back-and-forth communication as part of public comment. So, I welcome you to come in to speak with me about these things, I do have lots of comments to say about it. Particularly the water, it is also equally important that if someone does throw a butt on your lawn that we have water to prevent your house from burning. So that is one of the main reasons why the mandatory restrictions are on. So that we will be able to provide fire service in the event that it is needed. With respect to the Village taxes, we as a Board work very hard to keep our tax below the 2% cap and have since it's been a thing. So, your taxes increasing I do know for a fact that the School Board increased our taxes. A large amount which would attribute to your taxes going up. It is not the Village taxes that are doing it. The Village of Harriman is one square mile so outside of here I cannot speak to, and this Board can not speak to as well. We can speak to what is going on within this one square mile of the Village of Harriman. Beyond that please come in and speak to me and I can address some of the other things that you brought up.

Trustee Chichester stated Palm Tree, is its own Town. They have there own zoning. They can do what they do within their zoning. It is legal. As long as it fits in within Orange County. There zoning is not Harriman's zoning. It is not Woodbury's nor the Town of Monroe's zoning. They have a different perspective and a different lifestyle, but it is with there boundaries of the Town of Palm Tree. The Sewer Plant, Orange County runs the Sewer Plant not the Village of Harriman, Town of Monroe, or Town of Woodbury. Any concerns with that would be addressed with your County Elected Officials.

Ms. Escallier – Lexington Hill – I just want to know, there must have been an accident on Evergreen and Averill Ave because the sign came down and I don't know if anyone has been alerted.

Mayor replied yes, they have been notified. DOT has been notified a few weeks ago.

Mr. Livsey responded it has been reinstalled, but they have to come back with an additional bracket to make a final repair.

Ms. Escallier stated excellent.

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Mayor stated we will not be having Executive Session this evening. I thank everyone for coming get home safely.

MOTION was made by Trustee Chichester to adjourn Regular meeting at 8:06pm.
SECOND was made by Trustee Daly
ALL IN FAVOR

Respectfully submitted by: _____
Jane Leake, Village Clerk