



# *Village of Harriman*

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Harriman, New York 10926  
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## **VILLAGE BOARD MEETING August 8, 2023**

**7:00PM – AUDIT BILLS**  
**7:30PM – REGULAR MEETING**

### **AGENDA**

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – July 11, 2023**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. RESIGNATION – P.O. Ruger**
- 6. PROBATION RELEASE – Sgt. Clayton**
- 7. NEW HIRE – Court Attendants**
- 8. EMPLOYEE HANDBOOK AMENDMENTS (405, 502, 903, 905, 908, 1101) and Republishing**
- 9. WATER DEPARTMENT TRAINING REQUEST**
- 10. WATER ACCOUNT REQUESTS – a) 194 b) 289 c) 471 d) 266**
- 11. HIGHWAY DEPARTMENT REPAIR – DPP Request**
- 12. PARK REQUESTS - a) Iman b) Fennessy c) Urban d) DePass**
- 13. BOND RESOLUTION AMENDMENT**
- 14. RESOLUTION FOR JCAP GRANT APPLICATION**
- 15. AUTHORIZATION TO SIGN TOSHIBA LEASE AGREEMENT**
- 16. AUTHORIZATION TO SIGN CIVICPLUS SOFTWARE PROPOSAL**
- 17. AUTHORIZATION TO SIGN H2M WATER TANK INSPECTION PROPOSAL**
- 18. SET PUBLIC HEARING DATE FOR CHAPTER 74 FEE SCHEDULE CHANGES**
- 19. ATTORNEY COMMENT**
- 20. PUBLIC COMMENT**
- 21. EXECUTIVE SESSION – Attorney Client Privilege**

### **UPCOMING MEETING DATES:**

<b>PLANNING BOARD MEETING:</b>	<b>July 17, 2023 (Cancelled, No Applicants)</b>
<b>ZONING BOARD OF APPEALS MEETING:</b>	<b>August 2, 2023</b>
<b>VILLAGE BOARD MEETING:</b>	<b>August 8, 2023</b>

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**7:00pm – Audit Bills**

**7:30pm – Regular Meeting**

**ROLL CALL**

Mayor Lou Medina, Deputy Mayor Carol Schneider, Trustee Wayne Mitchell, Trustee Bruce Chichester, DPW Superintendent Kyle Livsey, Village Attorney David Darwin, Village Clerk Jane Leake

ABSENT: Trustee Sandra Daly and Police Chief Patrick Tenaglia

**ALSO, PRESENT** – Planning Board Chairperson and Historian Irma Escallier.

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

**APPROVAL OF MINUTES**

Mayor asked if there are any changes or revisions to the minutes of July 11, 2023, Regular Board Meeting?

**MOTION** was made by Trustee Chichester to accept the minutes of July 11, 2023, Regular Board Meeting.

**SECOND** was made by Trustee Mitchell

AYE: Trustee Chichester

Trustee Mitchell

Deputy Mayor Schneider

**INFORMATIONAL ITEMS**

This evening's bills were audited:

General Fund	\$ 77,045.49
Water Fund	\$ 44,100.67
Trust & Agency	\$ 414.00
Engineering Fees	\$ 24,732.85

- Up Coming Meeting Dates:
  - Planning Board – August 21, 2023 - cancelled due to no applicants
  - Zoning Board of Appeals – September 6, 2023
  - Village Board – September 12, 2023
- Village Office hours are 8am – 4pm and by appointment from 7:00 am to 8:00 am. Phone numbers and contact information can be found on the [villageofharriman.org](http://villageofharriman.org) website.
- A drop box is also available outside the Village Hall entrance for dropping off water payments for the Water Dept., or fines and tickets to be dropped off outside of normal business hours. We ask that you not leave any cash payments in the lock box.
- Residents and the public can sign up on the Village website to receive email alerts about Village information, community events, and information regarding water billing dates.
- Brush Pick up continues - we ask that you place brush, untied, at the edge of your property with the butt end facing out. Please do not place on the street and we do not accept grass clippings.
- Water restrictions were suspended at the end of last month, but we still ask water customers to conserve water whenever possible.

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- August Water Bills went out and are due by August 30<sup>th</sup> to avoid penalties.
- The Annual School Supplies Drive kicked off last month. New school supply donations can be dropped off at Village Hall Monday – Friday, 8am – 4pm or at the Police Department anytime. We will be working with Monroe Woodbury School District to have the donations distributed to children that need them most. The donation drop off deadline is August 31<sup>st</sup>.
- The paving of 4 Village Roads – James Street, Kearney Avenue, Meyer Avenue and Sweeney Street will be completed tomorrow. Thank you for your patience and please be mindful of flaggers and large machinery in these areas.
- A Community Concert to benefit childhood Cancer Research presented by the Children’s Hospital at Montefiore will be held on August 27<sup>th</sup> in Smith Clove Park. More information is available on the Town of Monroe’s website.
- The Monroe Lion’s Club is holding a fundraiser cruise on September 10<sup>th</sup>. Additional information is available at [www.prideofthehudson.com](http://www.prideofthehudson.com).
- The 6<sup>th</sup> Annual Family Fun Day is Saturday, September 23<sup>rd</sup> from 1pm – 4pm. The Committee has been working on all the planning and preparation. We’re all hoping for good weather and to see lots of Village residents come out to enjoy the day and activities.
- New Village Hall and Police Station Update – The foundation rebar shop drawings were finalized last week. Our General Contractor, Barone Construction (BCG), is waiting for the concrete subcontractor mobilization to begin depending on the fabrication and a delivery date. BCG advised that excavation for the foundation work will begin at the end of this week or early next week.

**Board Member Information Items:**

Trustee Chichester stated that the Town of Monroe Highway Department was working on our plan for the brush pick up after it got cancelled. I haven’t heard anymore and I don’t know if the Board has either, but I know they were supposed to be working on that.

**DEPARTMENT REPORTS**

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report -\$60.00 funds.

Water Account Adjustments – see attached report.

Court Reports – see attached report – July – Schonberg \$36,538.00 Hasin \$104.00

State Report - June total \$23,486.00 Village receives \$18,562.00

Building Department – see attached report

\$ 770.73	6 Building Permits
<u>450.00</u>	3 Violation Searches
\$ 1,220.73	

**RESIGNATION – P.O. Ruger**

Mayor stated the Board has received a memo from Chief Tenaglia for PO Robert Ruger’s resignation effective August 1, 2023.

**MOTION** was made by Deputy Mayor Schneider to accept Police Officer Robert Ruger’s resignation effective August 1, 2023.

**SECOND** was made by Trustee Chichester

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**AYE:** Trustee Chichester  
Trustee Mitchell  
Deputy Mayor Schneider

**NAY:**  
NONE

**PROBATION RELEASE – Sgt. Clayton**

Mayor stated the Board has received from the Chief of Police a memo requesting Sergeant Clayton be taken off probation effective August 28, 2023.

**MOTION** was made by Trustee Chichester to approve the probation release for Sergeant Clayton effective August 28, 2023.

**SECOND** was made by Deputy Mayor Schneider

**AYE:** Trustee Chichester  
Trustee Mitchell  
Deputy Mayor Schneider

**NAY:**  
NONE

**NEW HIRE – Court Attendants**

Mayor stated this is the hiring of two new Court Attendants.

Darwin Bennett with a starting date of August 10, 2023, an hourly rate of \$21.00, a clothing allowance of \$100.00 and subject to a 12-month probation period.

**MOTION** was made by Deputy Mayor Schneider to hire Darwin Bennett for the position of Court Officer Attendant.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Trustee Mitchell  
Deputy Mayor Schneider

**NAY:**  
NONE

Raul Rodriguez with a starting date of August 10, 2023, an hourly rate of \$21.00, a clothing allowance of \$100.00 and subject to a 12-month probation period.

**MOTION** was made by Trustee Chichester to hire Raul Rodriguez for the position of Court Officer Attendant.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Trustee Mitchell  
Deputy Mayor Schneider

**NAY:**  
NONE

**EMPLOYEE HANDBOOK AMENDMENTS (Sections 405, 502, 903, 905, 908, 1101) and Republishing**

Mayor stated these were revisions that were included in the Employee Handbook to satisfy recent changes in Labor Regulations. We will plan on republishing as well. Besides these revisions we have previous ones that we have done in the past year and a half. The cost for the publication is \$950.00.

**MOTION** was made by Deputy Mayor Schneider to authorize the revisions and the publishing of the updates to the Employee Handbook.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**WATER DEPARTMENT TRAINING REQUEST**

Mayor stated the Water Department is requesting approval for a training request for Ron Krzywicki and Danny Hedges to attend the Hudson Valley Water Works Conference on August 10, 2023, at a cost of \$50.00 each.

**MOTION** was made by Trustee Chichester to approve the training request for the Water Department.

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**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**WATER ACCOUNT REQUEST**

Account 194 – Penalty Waivers

**MOTION** was made by Trustee Mitchell to approve 1x penalty waivers on Account 194.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

Account 289 – Penalty Waivers

**MOTION** was made by Trustee Chichester to approve 1x penalty waivers on Account 289.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

Account 471 – Recalculation and Penalty Waivers

**MOTION** was made by Deputy Mayor Schneider to approve the recalculation a lower rate on Acct 471 and 60 day penalty waiver.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

Account 266 – Fee Waivers

**MOTION** was made by Trustee Mitchell to approve 1x fee waivers on Account 266.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**HIGHWAY DEPARTMENT REPAIR – DPP Request**

Mayor stated this is a deferred payment plan request for S-B-L # 107-3-24 which was presented to the resident and I have received the first payment.

**MOTION** was made by Deputy Mayor Schneider to approve the Deferred Payment Plan for S-B-L # 107-3-24.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**PARK REQUESTS**

Imam – September 24, 2023

**MOTION** was made by Trustee Chichester to approve Imam Park Request.

**SECOND** was made by Trustee Mitchell

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**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

Sonera-Fennessy– July 30, 2023 – pre-approved  
**ALL IN FAVOR**

Urban – August 19, 2023

**MOTION** was made by Trustee Chichester to approve Urban Park Request.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

DePass – August 12, 2023

**MOTION** was made by Deputy Mayor Schneider to approve DePass Park Request.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**BOND RESOLUTION AMENDMENT**

Mayor stated our Bond Council has made a recommendation that we amend a particular section and line within the Resolution that we had previously adopted in October of 2022. Mayor read the Section changing. We amended the Bond to bring it up to the full 6 million that was originally done in 2017 to be able to build the building. Now that we know the amount is 6.1 million, the Bond Council recommended putting 6.5 million as the estimated maximum. This does not change the amount to be bonded.

**MOTION** was made by Trustee Chichester to authorize the new estimated Bond Resolution Amendment.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**RESOLUTION FOR JCAP GRANT APPLICATION**

Mayor stated this Resolution authorizes the Village of Harriman Justice Court to apply for the 2023-2024 Justice Court Assistance Program (JCAP). Mayor read Resolution. This grant money will go toward our new construction for the Courts should we receive it.

**MOTION** was made by Trustee Chichester to approve the JCAP Grant Resolution.

**SECOND** was made by Deputy Mayor Schneider

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**AUTHORIZATION TO SIGN TOSHIBA LEASE AGREEMENT**

Mayor stated this is our Toshiba Copier Agreement which the Board has received. There is a slight increase for a 63 month term of \$38.00 a month for the three copiers.

**MOTION** was made by Deputy Mayor Schneider to authorize the Mayor to sign the Toshiba Lease and Maintenance Agreement.

**SECOND** was made by Trustee Mitchell

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**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**AUTHORIZATION TO SIGN THE CIVICPLUS SOFTWARE PROPOSAL**

Mayor stated this is for the authorization to sign the Civicplus software proposal. Our Building Department currently uses a piece of software that is being “sunsetting” or discontinued. The Company merged with Civicplus and is now offering a new and improved version which is of interest to the Building Department. It includes Fire and Safety Inspection, Code Enforcement and Permitting as well as Online Payment.

**MOTION** was made by Trustee Chichester to authorize the Mayor to sign the Civicplus Software Proposal.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Deputy Mayor Schneider  
Trustee Mitchell

**NAY:**  
NONE

**AUTHORIZATION TO SIGN H2M WATER TANK INSPECTION PROPOSAL**

Mayor stated this is for authorization to sign the H2M Water Tank Inspection Proposal. This is to provide Engineering and Inspection services to conduct what is called a Present Condition Evaluation of the Village’s four ground storage tanks. The last time we did an inspection was four years ago, so it is due to be done. The maximum amount is \$31,600.00 from H2M Architects and Engineers to conduct that Inspection.

**MOTION** was made by Deputy Mayor Schneider to approve authorizing the Mayor to sign the H2M Water Tank Inspection Proposal.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Chichester  
Trustee Mitchell  
Deputy Mayor Schneider

**NAY:**  
NONE

**SCHEDULE PUBLIC HEARING DATE FOR CHAPTER 74 FEE SCHEDULE CHANGES**

Mayor stated this is to schedule a Public Hearing for amendments of Chapter 74 Fee Schedule on September 12, 2023, 7:25pm.

**MOTION** was made by Deputy Mayor Schneider to approve scheduling a Public Hearing for amendments on Chapter 74 Fee Schedule for September 12, 2023, at 7:25pm.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Chichester  
Trustee Mitchell  
Deputy Mayor Schneider

**NAY:**  
NONE

**ATTORNEY COMMENT**

Attorney Dave Darwin stated Lou asked me to update the Board on the Fire Fighting Foam Lawsuit. The Village had outside Council to commence litigation against several Producers, Manufacturers and Distributors of Fire Fighting Foam. That action was originally brought up in Orange County and it was transferred to the Federal Court as a part of a Multi-District Litigation. Its venue is in US District Court, District of South Carolina along with many, many other similar lawsuits. All those lawsuits around the Country are being administered and heard by a Federal District Court Judge of South Carolina. There’s two proposed Settlements right now by some, but not all of the Defendants in that Multi-District Litigation. One of the Settlements involved 3M and the other Settlement involves three other Defendants in the case and these Subsidiaries: DuPont, Corteva and Chemours. So, the 3M Settlement provides that 3M is going to put up between 10.5 billion and 12.5 billion dollars into a Settlement Fund. That Fund

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will be established and then each of the Public Water Systems that are part of this litigation and actually don't even have to be Plaintiffs in this case necessarily. But there are literally hundreds of Public Water Systems that potentially could be beneficiaries of this Settlement and the Village of Harriman is one of them. In order to participate in the Settlement Fund, this applies to both Settlements. The second settlement with DuPont and the other two Defendants calls for those Defendants to put up 1.85 billion dollars in a Settlement Fund. So, there are two separate proposed Settlement Agreements. There is one with 3M and the other with Dupont and the other two Defendants. In order to participate in those Settlements, the Village is going to have to complete and file a Claim Form for each of those two Settlements. The Claim Forms have to be filed within 60 days after the effective date of the Settlement. So, the effective date of both Settlements is defined as the Settlement Judgement is entered by the Court and that starts the 60-day file ticking. The Claim Forms are going to require some Technical Assistance, for which the Mayor has some of the information that is required, but a lot of it has to do with some Technical Data that has to be included in both of those Claim Forms. Once those forms are filed, they will be reviewed by the Settlement Administrator that has been appointed to oversee the Settlement and then there is an allocation process set forth in both Settlement Agreements. The allocation of those two large Settlement Funds is going to depend on a couple of factors. One is the flow rate for the Water Systems that are impacted and the other has to do with the testing and the level of contamination that is shown from the testing of all of the sources of the Public Water Supply. So, one of the things the Village is going to have to do is go out and conduct testing from the water sources. There is some question whether if testing that has already been done, will there need to be additional testing necessary. That is something we are going to ask our Council to clarify for us, but there is a formula that is applied. Those are the two main factors and the formula is applied to those factors and then the Claims Administrator comes up with an allocation where there are hundreds and hundreds of Potential Claimants in this Litigation. So, it is not clear how much the Village is going to end up with at the end of the day. The money that the Village gets is designed to compensate the Village for any remedial action that has been taken in the past or that is going to have to take place going forward and things like that. Also, not clear is whether that money has to be earmarked and designated for specific purposes or uses or whether it can be applied to past expenses and costs that the Village has incurred as the result of PFAS contamination or both. The Settlement Agreements are very long and lengthy and complicated, but that is kind of a thumb nail summary of what the Settlements are about. If you have any questions, I will try to answer them.

Mayor replied there are two things to add. One I have already engaged WSP our Hydrogeologist Consultants to pull that data together as part of the application because a lot of it is lab results and flows. So, there is a little bit of information for each of our Well Sources that has to be collected. The other thing is I asked Dave to do that since the Board has received these Settlement letters to explain what that means about the 10.5 – 12 billion and 1.85 billion dollars. To be continued and we will see. What I saw on the list was thousands of Claimants, many more than hundreds?

Attorney Darwin responded yes, thousands potential Claimants. They all have to submit their Claim Forms. The Claim Forms have to be submitted timely and they have to qualify before there is any kind of allocation decisions. But yes, there are a lot of fingers in the pie.

Trustee Chichester asked does the Board need to grant or vote on any additional authorization to speed it to move forth?

Mayor replied not yet.

Attorney Darwin stated I think to get a jump on things it would be a good idea to start working on those Claim Forms right away.



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Mayor responded I completed what I could and then gave it to WSP to continue with the rest and to also confirm what I put.

Attorney Darwin stated we will set up a conference call with our Attorney with any other questions we have.

Mayor asked is it worth mentioning ORDEVCO. There has been some development this week.

Attorney Darwin stated this has to do with Well OR5. ORDEVCO took title to that Well when acquired as part of the Deposition of Site C, I believe.

Mayor replied yes.

Attorney Darwin continued and part of that acquisition the Village of Harriman reserved a right to have that Well brought back into service for the Village in the future if it needed. So that has been out there for many, many years now. The Village doesn't need the Well. It is a very low producing Well. ORDEVCO now wants the Village to release its interest in that Well, which makes sense. They sent over some paperwork for the Village to look at, an Agreement for the transfer of the Villages rights in the Well to ORDEVCO. ORDEVCO is going to compensate the Village \$50,000.00 for its releasing its interest in the Well and then there is an escrow Agreement where the conveyance documents will be held in escrow by ORDEVCO's Title Company. The \$50,000.00 will be held in escrow until the transaction is completed. At which time the releases will be recorded with the County Clerk and the payment will be made to the Village. The Mayor and I just received the draft documents two days ago. I took a look at them and made a few minor changes that I asked ORDEVCO's Attorney to take a look at. Otherwise, everything else seems to be in pretty good shape.

Mayor stated I think we mentioned it several months ago, during your comment as well, this has been going on for quite some time. So, it is a couple of years that it started when they first wanted to do this.

Trustee Chichester asked if they take ownership of the Well.

Mayor replied it really is releasing the easement to it because the Well is a non-producing Well.

Trustee Chichester continued that is my point. If they chose to refurbish the Well, in the future could it have an effect on ours if they start to refurbish it. Kyle, what word am I trying to use?

Kyle replied redevelopment of the Well?

Trustee Chichester replied yes, could that eventually hurt our water system in a different way?

Kyle replied it depends.

Mayor responded it is also still in our Water District.

Kyle replied so we still have control from that aspect. All Wells from surrounding Municipalities are around the same aquifer and could potential impact one another. So, you are looking at a drop in the bucket. No point intended.

Trustee Chichester stated I didn't know if they started messing with it what would happen.

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Kyle replied they would have to retest it for whether or not there was an interference if somebody were to move on to developing it and we would surely hear about that and we would be on the forefront of it.

Trustee Chichester replied thank you.

Mayor stated probably next month, and once we get it finalized from ORDEVCO if they accept your changes, I can distribute that to the Board for your review and maybe we will add it to the agenda next month. If everything comes together.

**PUBLIC COMMENT**

Randy Heilweil – 12 Kensington Way – I have been a 39-year Village resident. I have a question I propose to the Board here and I prefer I get an answer from either Trustee Mitchell or Trustee Chichester. So, if your wife was to go out for a walk one day and a neighbor came up to you and said, hey your wife is on the ground, what would you do?

Trustee Mitchell asked what would I do?

Mayor stated just to put a point on this, in public comment we don't have interaction. I am happy to do that now since you are here by yourself and no one else is here. But typically, you express your comment and the Board can consider.

Mr. Heilweil stated you will understand why when I get my answer. If I get an answer. So, your wife goes out for a walk and a neighbor comes running to you, Mr. Mitchell, Mr. Mitchell your wife's on the ground in the middle of the road, what would you do?

Trustee Mitchell replied what is reasonable.

Trustee Chichester responded I would run to help her.

Mr. Heilweil asked and that is it?

Trustee Chichester replied yeah.

Mr. Heilweil asked you wouldn't do anything else?

Mayor stated it depends on what it is obviously.

Mr. Heilweil asked would you call 911? Would you call the police?

Trustee Chichester replied not at first. I would run to see what is going on at first.

Mr. Heilweil stated okay so you will run to see what is going on. You have a woman who is screaming, yelling and motionless. Do you call 911? Do you call the police? What do you do?

Trustee Chichester replied probably.

Mayor responded maybe. It depends on the circumstance.

Trustee Mitchell asked what did you do at the time?

Mr. Heilweil stated being the spouse and husband and caring for my wife, I didn't know what to do either, but I called 911 and they took all the information. So, sitting there not knowing what to do because I am

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not an EMT or anything else. I waited, I waited, I waited. 15 minutes go by. Nobody there to help. I called the police. The Village of Harriman police. Do you want to know what kind of response I got from the Village of Harriman police? We are too busy. That is the response I got from them. 10 more minutes go by, still nobody responds. I called 911 again. They told me I already called. 5 more minutes go by, nobody responds. I get a returned phone call from the Village of Harriman police, why do you keep calling, we are busy. Okay. This is how we assist somebody who is in an emergency situation and needs help.

Mayor replied okay, so what I will need is the date and time that this occurred and we can investigate, but without knowing anything that is all I can tell you right now.

Mr. Heilweil responded I will give you the date and time right now. July 24<sup>th</sup> 3 o'clock. The result is a fractured vertebrae of a woman 62 years old. Laying in the street, the middle of the street. At that time, I couldn't prevent anybody from driving over the roadkill, that they considered my wife. The mail truck went by, nearly missing her. Amazon tried to get by. I stopped the guy. I said, do you see what is in the road. It is not a dead possum or woodchuck. That is my wife. But the police were too busy to come. That is a disgrace.

Mayor responded as I said I will investigate July 24<sup>th</sup> at 3 o'clock because that is not the way our police work, but I will investigate.

Mr. Heilweil asked are police calls traceable, my call to them and their call back to me?

Mayor replied let me investigate and I can get back to you. How is your wife?

Mr. Heilweil responded she has a fractured vertebra. She is in bed. Miserable. Can't leave the house. Can't go to work. Can't function.

Trustee Chichester asked prognosis? Will she recover from it?

Mr. Heilweil replied we don't know. I am not blaming anybody at fault for her falling.

Mayor asked did you report to anyone who was there what had happened?

Mr. Heilweil replied did I report?

Mayor asked no, what did you tell people when they were there what happened?

Mr. Heilweil replied, what people? Eventually an ambulance did come.

Mayor asked did she trip and fall?

Mr. Heilweil replied an animal had attacked her. A neighbor's dog. The ambulance eventually did come.

Mayor responded well, let me do a little bit of investigating on my side. That is not typical behavior of what you are describing for our Police Department.

Mr. Heilweil replied but the exact words were, we are too busy. Exact words. And then the second time, stop calling us we are busy. That was the fourth phone call. They returned that fourth call to me.

Mayor stated let me see what I can find out and I will call you back.

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Mr. Heilweil replied thank you.

**MOTION** was made by Trustee Chichester to Enter into Executive Session for Attorney Client Privilege discussion.

**SECOND** by Trustee Mitchell

**ALL IN FAVOR**

At this time, the Village Clerk was excused from the meeting.

The following was given by Mayor Medina:

Executive Session with David Darwin, Esq.

**MOTION** was made by Deputy Mayor Schneider to adjourn Executive Session and return to Regular Meeting.

**SECOND** was made by Trustee Mitchell

**MOTION** was made by Trustee Mitchell to adjourn the Regular meeting at 8:40pm.

**SECOND** was made by Trustee Chichester

**ALL IN FAVOR**

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