



## *Village of Harriman*

1 Church Street  
Harriman, New York 10926  
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### **VILLAGE BOARD MEETING February 8, 2022**

**7:00PM – AUDIT BILLS**

**7:20PM – Public Hearing - Repeal LL 2021-06 (postponed)**

**7:25PM – Public Hearing – Tax Cap Override**

**7:30PM – REGULAR MEETING**

#### **AGENDA**

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – January 11, 2022**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. EXPIRED PROBATIONARY PERIODS**
- 6. LOCAL LAW #2022-02 – Tax Cap Override**
- 7. SCHEDULE PUBLIC HEARINGS**
  - a. Repeal LL 2021-6**
  - b. Adopt Amended Zone District Map**
  - c. Chapter 136 Code Changes**
- 8. ESCROW REFUND REQUEST - Ceasefire**
- 9. WATER REQUESTS**
  - a. Account 551**
  - b. Account 700**
  - c. Account 222**
- 10. ATTORNEY COMMENT**
- 11. PUBLIC COMMENT**
- 12. POSSIBLE MOTION TO ENTER EXECUTIVE SESSION**

#### **UPCOMING MEETING DATES:**

<b>PLANNING BOARD MEETING:</b>	<b>February 28, 2022</b>
<b>ZONING BOARD OF APPEALS MEETING:</b>	<b>March 2, 2022</b>
<b>VILLAGE BOARD MEETING:</b>	<b>March 8, 2022</b>

**VILLAGE OF HARRIMAN, NEW YORK  
VILLAGE BOARD MEETING**

**February 8, 2022**

**Page 1**

**7:00pm – Audit Bills**

**7:20pm – Public Hearing – Repeal LL 2021-06 (postponed)**

**7:25pm – Public Hearing – Tax Cap Override**

**7:30pm – Regular Meeting**

Mayor stated the 7:20pm Public Hearing will be postponed this evening. It was originally to repeal local law 2021-06 and because of the replacement local law adopted as Local Law 2021-08 could not be filed with the Department of State. Local Law 2021-08 was received by the Department of State in January 2022 and was rejected because it can only be filed with a 2022 number in it. Because that has been rejected the Village Clerk has re-submitted LL 2021-08 as 2022-01 and once it has been filed, we can repeal LL 2021-06 which we will be scheduling the Public Hearing this evening for.

**Public Hearing:**

Mayor Read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law entitled, "A Local Law Authorizing a property tax levy in excess of the limit established by General Municipal Law § 3-c," at Harriman Village Hall, 12 Church Street, Harriman, New York on February 8, 2022 at 7:25pm or as soon thereafter as the matter may be heard.

This local law, if adopted, will relieve the Village of the prohibition against increasing a tax levy by more than 2% as imposed by General Municipal Law § 3-c. As the Village relies upon the assessments of the Towns of Woodbury and Monroe and therefore cannot anticipate the impact of resolutions of tax certiorari matters or other unanticipated expenses the restrictions of General Municipal Law would potentially impose a great hardship upon the Village or require borrowing otherwise deemed unnecessary.

All persons interested in the subject of the proposed local law will be heard by the Village Board at the above time and place. Persons may appear in person or by agent. All written communications addressed to the Board in connection with the proposed local law must be received by the Village Board at or prior to the public hearing.

Mayor asked have we received any written comments?

Clerk replied no.

Mayor stated having received no written comments, is there anyone from the public that wishes to speak on this matter?

No Public Comment

**MOTION** was made by Trustee Chichester to close the public hearing. **SECOND** by Trustee Daly  
**ALL IN FAVOR**

**REGULAR MEETING**

**ROLL CALL**

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

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 2**

**ABSENT** DPW Superintendent, Kyle Livsey

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

**APPROVAL OF MINUTES**

Mayor asked if there are any changes or corrections to the minutes of January 11, 2022, Regular Board Meeting?

**MOTION** was made by Trustee Daly to accept the minutes of January 11, 2022, Regular Board Meeting.

**SECOND** was made by Trustee Mitchell

**AYE:** Trustee Daly

Deputy Mayor Schneider

Trustee Chichester

Trustee Mitchell

**NAY:**

NONE

**INFORMATIONAL ITEMS**

Mayor stated I do need to make a correction to January's abstract numbers:

General Fund	\$78,878.28
Water Fund	\$75,301.92
Engineering Fees	\$ 6,071.45

This evening's bills were audited:

Trust & Agency	\$ 1,110.32
General Fund	\$ 199,188.45
Water Fund	\$ 46,842.91
Engineering Fees	\$ 1,319.69

- Up Coming Meeting Dates:
  - Planning Board – February 28, 2022
  - Zoning Board of Appeals – March 2, 2022
  - Village Board – March 8, 2022
- Village Office hours are 8am–4pm and also by appointment from 7-8am. Phone numbers and contact information can be found on the [villageofharriman.org](http://villageofharriman.org) website.
- A lockbox is also available outside the Village Hall entrance for dropping off water payments or any other correspondence to Village Hall Staff. However, we do ask that you please do not leave cash payments. The outside drop box is emptied on a regular basis.
- Residence and the public can sign up on the Village Website to receive email alerts about general village, community information or information regarding water billing dates.
- Water customers can also pay water bills online at the [villageofharriman.org](http://villageofharriman.org) website.
- We do have one alternate position opening on the Planning Board and one vacancy on the Zoning Board. Anyone interested please submit a letter of intent to the Village Clerk or contact me directly.
- As a reminder there is no street overnight parking from November 1, 2021 through April 1, 2022 from 11pm-6am and no on street parking during any snow events until the snow has been totally removed from the roads.

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 3**

- Budget Workshop dates are coming up on February 22, 2022 at 7pm the Budget Workshop will be covering the Departments for the Police, Court and Water Department. On March 1, 2022 at 7pm the Highway Department and Building Department.
- A second notice was sent out to water customers that have not set an appointment to have their water meters upgrade to the new digital meters. If you have received a second notice, please call Village Hall to schedule your no cost digital meter upgrade.
- We received and have been in coordination with the Town of Monroe who is sponsoring an Open House on February 28, 2022 from 6-8pm to include the Town of Monroe, Village of Monroe and the Village of Harriman. It will be held at the Monroe Town Hall. It is really an informational night for discussion. The Village of Harriman will have a table there. It is opportunities to Volunteer for Fire and Ambulance, to fill Board Vacancies, update Voter Registration and programs available at the Library and Smith Clove Park and it is just a way of introducing new resident's to new local law enforcement and to our communities.
- We also received a couple of letters of appreciation for our DPW for the work they have been doing over the last couple of snow and ice storms. It was really nice to receive them and I want to personally thank them as well. They have done a great job and on behalf of the Board I really would like to extend my appreciation to them.

**ADDITIONS:**

9d) Account 698

9e) Account 232

**DEPARTMENT REPORTS**

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report – Funds \$45.00

Water Account Adjustments – see attached report

Court Reports – see attached report January \$21,460.43

Building Department – see attached report

\$ 363.00	3 Building Permits
900.00	6 Violation Searches
<u>50.00</u>	1 Building Permit Extension
\$ 1,313.00	

**EXPIRED PROBATIONARY PERIODS**

Mayor stated we received a report from Orange County HR that two employee's probation periods have expired in November of 2020 and January of 2021.

**MOTION** was made by Trustee Mitchell to approve the Mayor to submit the required paperwork to Orange County HR to document this status change.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Daly

Trustee Mitchell

Trustee Chichester

Deputy Mayor Schneider

**NAY:**

NONE

**LOCAL LAW #2022-02 – Tax Cap Override**

Mayor stated we held a public hearing this evening and did not receive and written or verbal comments.

**MOTION** was made by Trustee Chichester to adopt Local Law 2022-02

**SECOND** was made by Trustee Daly

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 4**

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

**NAY:**  
NONE

**SCHEDULE PUBLIC HEARINGS**

Mayor stated we need to set a Public Hearing to repeal Local Law 2021-6 for March 8, 2022 at 7:15pm.

**MOTION** was made by Trustee Chichester to approve setting a Public Hearing to repeal Local Law 2021-6 for March 8, 2022 at 7:15pm.

**SECOND** was made by Deputy Mayor Schneider

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

**NAY:**  
NONE

Mayor stated we need to set a Public Hearing to adopt the amended Zone District Map for March 8, 2022 at 7:20pm.

**MOTION** was made by Trustee Daly to approve setting a Public Hearing to adopt the amended Zone District Map for March 8, 2022 at 7:20pm.

**SECOND** was made by Trustee Chichester

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

**NAY:**  
NONE

Mayor stated we need to set a Public Hearing on Chapter 136 Code changes relating to some water code within that Chapter for March 8, 2022 at 7:25pm.

**MOTION** was made by Trustee Chichester to approve setting a Public Hearing on Chapter 136 Code changes for March 8, 2022 at 7:25pm.

**SECOND** was made by Trustee Mitchell

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

**NAY:**  
NONE

**ESCROW REFUND REQUEST - Ceasefire**

Mayor stated this is a escrow refund from the Deputy Clerk for a refund of \$138.44 to Ceasefire.

**MOTION** was made by Trustee Mitchell to approve refunding Ceasefire's escrow balance of \$138.44.

**SECOND** was made by Trustee Daly

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

**NAY:**  
NONE

**WATER ACCOUNTS**

Account 551 – penalty waivers

**MOTION** was made by Deputy Mayor Schneider to approve 1x penalty waivers for Account 551.

**SECOND** was made by Trustee Chichester

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

**NAY:**  
NONE

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 5**

Account 700 – penalty waivers

**MOTION** was made by Trustee Chichester to approve 1x penalty waivers for Account 700.

**SECOND** was made by Deputy Mayor Schneider

<b>AYE:</b> Trustee Daly	<b>NAY:</b>
Trustee Mitchell	NONE
Trustee Chichester	
Deputy Mayor Schneider	

Account 222 – penalty waivers

**MOTION** was made by Trustee Daly to approve penalty waivers for Account 222.

**SECOND** was made by Trustee Mitchell

<b>AYE:</b> Trustee Daly	<b>NAY:</b>
Trustee Mitchell	NONE
Trustee Chichester	
Deputy Mayor Schneider	

Account 698 – usage charges

**MOTION** was made by Trustee Chichester to approve recalculating the usage at the lowest rate for Account 698.

**SECOND** was made by Trustee Daly

<b>AYE:</b> Trustee Daly	<b>NAY:</b>
Trustee Mitchell	NONE
Trustee Chichester	
Deputy Mayor Schneider	

Account 232 – penalty waivers

**MOTION** was made by Trustee Mitchell to approve 1x penalty waivers for Account 232.

**SECOND** was made by Deputy Mayor Schneider

<b>AYE:</b> Trustee Daly	<b>NAY:</b>
Trustee Mitchell	NONE
Trustee Chichester	
Deputy Mayor Schneider	

**ATTORNEY REPORT**

Attorney Darwin – I received a call from Ed McKiernan the lawyer for Waste Management who is doing the well monitoring connection with the PFAS site investigation. The State is asking them to collect some additional data. He wanted to know if they can have an amendment to the Site Access Agreement. So, I asked him to send me a scope of work and he said he discussed it with you, Mayor and the Village Engineer. So, he will put together a scope of work and an estimate of how much time they think it will take and as soon as I get it I will share it with you.

Mayor replied great. That is kind of how we left it with them. He wants this, but the Board has granted the Access Agreement which has expired December 31, 2021. So, if he wants to extend that, certainly, he will need to create a new Access Agreement and a supporting scope of work. Did he say he was planning on doing this in the Spring?

Attorney Darwin replied I got the sense that it wouldn't start until the Spring. He didn't give me any specifics.

Deputy Mayor Schneider asked and where is this they are looking at this?

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 6**

Mayor replied in the Fall they started doing well monitoring. Some monitoring wells were drilled in Mary Harriman Park over by the ballfields, close to the fence. That work has been completed and they have done their reporting, but we have yet to see any of it.

**PUBLIC COMMENT**

Tim Lenahan stated I moved into Harriman back in 1983. We were one of the first in what they call Harriman Farms. The back of our home is up against Melody Lane. At that time there was nothing here when they built over there, no Walmart, nothing. There was a plan, maybe down at the bottom. A Plumbing Plant that is where SPG is now, perhaps. Then we had the Chemical Plant over on 32. When we moved in at the time, I was a little suspect of that Chemical Plant, but I did some reach on it. Also, it was very interesting in as far as whether we were upwind or downwind of that Chemical Plant. I found out we were upwind, so I really didn't have that much of a concern. I don't even remember at that time or not if I was aware of the fact that periodically they would have these releases that cause some type of pull. But the fact that they did it was insufficient, it didn't matter. I don't even know when the SPG Plant came in to be. I have no idea. I'm sure you guys do. The first time I became aware of it, believe it or not, was when I seen trucks going in there, but I had no idea what they were carrying, was when one of trailers inadvertently took down one of the power lines and we lost electric. And if I am not mistaken, they may have done it twice, because I think my wife had a turkey in the oven. So, again it didn't matter. I would say and for Darin (neighbor in attendance) it may be different for him. About seven months ago I started hearing noises, but I wasn't quite sure where they were coming from and I could hear them in my backyard and I could also feel them coming through, this noise was penetrating, believe it or not the bedroom wall. I could even feel it in the garage. When I looked into it, I walked down Melody Lane and I went down to the SPG Plant. I found from my perspective they were coming from these reefer units that they had parked down there. Now, I don't think I reacted to it initially hoping that it would resolve itself, but it didn't. I wound up calling, I think the Police first. At that time, and two other times, they told me that they couldn't do anything because they weren't breaking the law. I didn't pursue to find out exactly what law they weren't breaking, but I also spoke to the Building Inspector here. He was somewhat receptive to it. He went down there and he spoke to the Plant Manger and the second time I spoke to the Building Inspector he seemed to be, in my interpretation, that he was a little more assertive with the people at the Plant. It actually seemed to get better for a very short amount of time, but I think that was just mere coincidence that, that happened because it continued and it got worse. The only reason I am here is because it is extremely, extremely annoying. To the point where, if I am in my living room because I couldn't sleep in my bedroom, my wife can because she takes some sleeping pill, maybe I should. I winded up going into the living room and I can actually hear the sound and the sound that is really annoying is the pulsating sound that comes from these reefer units. It is the diesel that is running the compressors. They are not all like that. It seems that some are quieter than others. It also appears, initially when I spoke to the Building Inspector, they use to park two of them right at the entrance way to the SPG Plant. He was able to get them to stop doing that, which seemed to improve it. However, they now have units parked all along with their backings up to Heritage Trail. Any of those units can cause a problem. Any of them. The ones that I have noticed these past couple of weekends, were ones that were parked right up close to the entrance. Actually, there back is right up against Heritage Trail. The front portion of it which contains to the auxiliary diesel that runs these compressors is actually facing up towards our development and especially to our backyards. Now, I don't want to put words in other people's mouths, but other people have a problem with it, but they just, for whatever reason, are somewhat complacent and they are trying to get by. I know the person across from me whose bedrooms also face towards SPG has a problem. She does, her husband doesn't, but there is another reason for that. I spoke to the person that next to her, that is closer to your house, he notices as well, but he says I try to work through it. So, there are a lot of people who have a problem, they just haven't come together yet to complain. But, I am complaining because I cannot live with that noise and I told your Officers about it as well. So, you (referring to the Mayor) indicated to me last time we spoke and I want to thank you. You have been helpful and a great help. The Manager there who is going to, that I understand it, try to rearrange his reefers. He was going to try to put them on the side of the building and when I look at the

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 7**

overhead, I don't know where he could put them. I don't see any room and also put them closer to the building, which he has tried to do. He has, but if he gets a unit there that is running loud. Also today, because I drove through their, and as you informed me, it is private property. I drove through there, there was four or five of them that were running and they were up toward the entrance. And one more thing, and I mentioned it to you, for some unknown reason it is always worse come Friday afternoon right through Sunday. Saturdays are hell. So, I am done. I don't know what you can do. I will also bring up, since you are going to let me talk, there are two signs that are up on that entrance way. Maybe someone here can tell us why they are there. One of them addresses, the cabs running over the five-minute limit. I guess that is the DEC. Where they are not allowed to run more than five minutes. But, there is another sign that I find extremely interesting, it talks about no unnecessary noise being generated and it includes, doesn't say what it excludes, people talking loud, playing radios. There is a sign posted there. It even references a two hundred dollar fine, but when we were talking about it, Lou indicated and it is true, either sign by the way, it doesn't indicate who made the sign. It doesn't say DEC. It doesn't say the Village of Harriman. I don't know if that means definitively, that it didn't get generated by the Village of Harriman. There are two signs posted there and it also goes on to indicate that the noise should be even minimized between certain hours, which I believe, don't quote me, from 8pm – 6am. Now, the fact that he says that he is going to try, let me tell you something, that can't be acceptable. Not from my perspective. That is it. I have nothing else to say. If you have some questions, I would be more than happy to answer it, but I know other people down there hear this noise.

Trustee Chichester asked and this has been going on from approximately what date?

Mr. Lenahan replied from my perspective, September I will go with.

Trustee Chichester stated so approximately two years?

Mr. Lenahan replied no, seven months.

Trustee Chichester asked but you said the noise goes back further than that?

Mr. Lenahan replied I believe it goes back further than that. I believe other people have noticed it before. I haven't, why? I have no idea why.

Trustee Chichester stated I am trying to get a perspective that it is continuous noise.

Mr. Kelly replied I think they did something when they were double parking on the road. The Board put up no parking. There was complaints about double parking and people were hearing the noise from the trucks that were running waiting to go in. That was eliminating the noise. That was coming from that one area at that time.

Mr. Lenahan stated but that is at the entrance way.

Mr. Kelly responded that is what the people who came were complaining to the Planning Board about. It was about when people were parking there and they got no parking signs there. So that tried to eliminate that annoyance.

Mr. Lenahan asked how long ago was that sir?

Mr. Kelly replied how long has the no parking signs been there?

Mr. Lenahan responded don't ask me I don't know. I have no idea.



**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 8**

Mayor replied two years.

Mr. Lenahan replied I didn't even know they were there except for those weird exception, until about seven months ago, September or October. I didn't know where that noise came from until eventually, I found out where it was coming from. Why other people didn't say anything I have no idea and actually I don't care.

Trustee Chichester stated I like to suggest after listening to this that we use either our Building Inspector, our Engineers, even our Police and have a report generated, not saying anything to the company. Just quietly have a report generated over a certain time frame.

Mayor asked report of what?

Trustee Chichester replied report of noise because we do have noise code.  
Mayor asked report of their viewing noise?

Trustee Chichester replied yes.

Mayor stated but they are not there twenty-four seven like he is. When I went there tonight there was no noise.

Trustee Chichester responded this is what I am saying whether it be our Engineers, Building Inspector, Police at various times to get a reading on it and stuff because we do have noise limits in the Village. If in fact it is beyond what that is. Maybe this Company has to put a noise wall up on their property.

Mayor stated he was actually in this week to see. I did meet with Motty after you and I talked a few weeks ago and the Plant Operator came in and he and I talked to figure out what's the situation and as I said to you, he had said he is going to try to move those away from the front because those may be the worst offenders of it. Move it closer to the building. He came in also to see about putting up planting along the outside of it, which I don't know how successful that will be.

Trustee Chichester replied there are effective noise walls that can be built. If they are violating our noise code, then they have to do something about it.

Mr. Lenahan responded I hear what you're saying about sending people over to monitor it, don't get offended by this, that is not going to mean anything and Lou knows it. The problem is Friday night, Saturday, Saturday night, Sunday morning. Even your Officer Ed, the first person I ever spoke to, he came down to the Plant. I know he heard that reefer running. I even documented it.

Mayor stated the problem with the documentation that you have is your documenting it in the parking lot. So, that is not technically in violation for the noise because the noise is not in your video showing it leaving the property. The best way would be, as we said, to do it from your house or from the neighbors.

Mr. Lenahan responded if you are in my house and I have an app or whatever that reaches decibels, alright, and we all know low frequency noise is penetrating. It just is. It will actually resonate right through your walls. The problem is it I am standing on my deck as best I can. I am reading maybe twenty-five to fifty decibels. Is that breaking the law. I don't know what these laws are. All I know is you have to nuisance laws, that says wait a minute. I don't care what the decibel reading is. It is annoying people. It is annoying my next-door neighbor. Its annoying the person across the street. That has to mean something. I right now, in good faith could not, would not sell my house to somebody. I am not kidding about this. It is bad.

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 9**

Mr. Saniato stated maybe you can contact them and find out what is the reason they run the reefers. That will probably give you an indication of how frequently.

Mayor replied I didn't ask that.

Mr. Sainato responded why are they running them is it for refrigeration or for heat. Then you can find out the amount of time they run them.

Mayor stated the reason is because it is candy and they don't want it to melt. Even while it is eight degrees outside, they also don't want it to freeze. So there refrigerating it to maintain 55.

Mr. Sainato stated create a timeline of when. They know when because their particular load is in their driveway waiting to be unloaded.

Mayor replied it is my understanding that they are loading all the time. So, when is a good time to be annoyed by it is probably no good time.

Mr. Lenahan replied there is no good time.

Mr. Sainato stated I am always annoyed by it during the night. If I get up in the middle of the night to go to the bathroom and get back into bed it is clear as day and it is annoying and it has been going for a long time and I haven't said anything because as frequently as you hear it then you can go a day or two where you don't hear it at all and then I just kind of forget about it. It's annoying.

Trustee Daly responded I can hear it at my house also and I never knew what it was. I hear something that sounds like running trucks. I wasn't sure what it was. I would open my door during the middle of the night and stick my head out and say what the hell is that noise and it has been going on for a while.

Mr. Sainato replied that is what it is.

**DISCUSSION**

Trustee Daly stated its annoying. I don't know if it is the same noise.

Mr. Kelly replied it is a business. We got to work with the people who run a business.

Trustee Daly responded I understand that.

**DISCUSSION**

Mr. Lenahan replied I was here in 1983 before that Plant got here. Someone should care about us.

Mr. Kelly stated they want to do something that will work for them to fix the noise. They suggested about putting trees and possibly blocking off some of that noise. I mean I understand. You are not the only one. There is someone on the Planning Board who complained to me about it. They can hear it.

Mr. Lenahan responded because nobody complains.

Mr. Kelly replied nobody does though. They talk about it, but you're the first time I really heard in a public hearing about this situation. I have been coming to these meetings for a little over a year.

Mr. Lenahan responded you are going to keep on hearing about it.

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 10**

Mayor stated and I appreciate it because when you brought it to my attention, it was maybe a month now, I brought Motty in to explain his position on it. He has made some recommendations on what he thinks he can do. He understands that it is a problem and not just for you, but for him.

Mr. Lenahan replied you know today, evidently, nothing has been moved in the back.

Mayor stated the fact that he leaves it there, he can do that. If they are not causing a noise problem. The fact they are there is not the problem. It is the fact that they are there and producing noise. There are many of them there that are producing no noise whatsoever.

Mr. Lenahan replied yes because some of them are not running.

Mayor continued any hour within twenty-four hours. I pass there often and I am always trying to be aware of am I hearing anything and I will tell you and I have said this to you I never hear it. I am not saying it doesn't happen. It is just at the time of day that I am passing through it I don't hear anything, but I don't pass through it at midnight or three in the morning, so I realize I am not getting a true snapshot. I am just saying at the times that I am there; I don't hear it. I am not discounting any of what you are saying. Your saying, it is on a Friday night, Saturday, so that is all information that we need to speak to them about.

Mr. Lenahan stated find out why that seems to be a pattern. I have no idea, maybe there is a reason.

Mayor responded you are saying September, but we have heard people say things over the years that it is the lights, the noise or other things.

Mr. Lenahan replied we know about the lights.

Mr. Sainato responded I think they have gotten busier.

Mayor stated I asked Motty what changed. Has something changed?

Mr. Lenahan asked does he have the same amount of personnel?

Mayor replied he says he does, but like you I am noticing that more and more of them are closer to the entrance of the parking lot.

Mr. Lenahan responded because they don't have enough room.

Mayor stated right and therefore noise is traveling down Melody Lane to the back of your house.

Mr. Sainato asked does the site plan specifically allow refrigerated trailers?

Mayor replied I would think it would because he's always had them, but I can check that. We can certainly check that. We are not going to solve this tonight.

**DISCUSSION**

Mr. Lenahan stated I don't know whether you can sense it, how annoying that noise is.

Mr. Kelly responded you brought it to the Board and now it is up to the Board to figure out a way to solve the problem.

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 11**

Mr. Sainato stated I would suspect it is some sort of health issue to have multiple diesel engines running twenty-four hours a day in our neighborhood.

Mayor replied I understand that DEC has been there for that.

Mr. Sainato stated I was contacting the DEC and they are more concerned about the tractors running for a period longer than five minutes. Nobody has gotten back to me on the trailers yet.

Mayor replied oh okay. Interesting. We will see what we can do.

Trustee Mitchell stated it is a quality-of-life issue and it is going to take some time to solve. We are going to address it as best as we can. We all live in the same small Community.

Mr. Lenahan replied but you don't all experience what we are, and I mean that sincerely and you can't appreciate something unless you are actually experiencing it.

Mr. Sainato responded and Sandy lives considerable far away from it and you hear it.

Trustee Daly replied I am like you. I never even thought about it, except I hear it, then I kind of get away from it and whatever. Then you hear it again, and I do. I literally open my front door. I am lying in bed and I can hear it. I am right up the hill across from it and my neighbors and such have cut down a lot of trees, so it is taking away that absorption of the noise and then the winter with no leaves. But, I have been hearing it for a couple of years and like I said, I just never knew what it was.

Mr. Lenahan stated because I thought perhaps it is direction. Remember I mentioned it to you what the air intake space does. She is on the other side of Heritage, correct?

Trustee Daly replied yes. I am on the other side of River.

Mr. Lenahan stated another words she is on the backside of the trailers Lou. She is not on the front side that faces us, right? You know the air intakes that I am talking about?

Mayor replied yes, I do. She is right in Village Square.

Mr. Lenahan responded which is quite interesting because I thought most of it would have been on our side.

Trustee Chichester stated like Wayne said it is a quality-of-life issue. I wasn't aware of it. This is the first time I am hearing it. So, I want to hear what's going on. So, it is going to take us some time, like Wayne said. But give us some time. Let us research it. Let us find out.

Mr. Sainato responded I know on the Zoning Board sometimes we will all go out and see certain things. So, there may be an opportunity for the Board to come to our home and experience it.

Mayor asked do you recommend a time to do that. What would be the best time to actually see it? I am dead seriously.

Mr. Lenahan replied it is going to be on a Friday night or Saturday night. Unfortunately, Lou, that is what it comes down to because I think I mentioned it to you, even during the daytime sometimes depending on the location as to where I am in the backyard you can actually sense the pressure coming off of the diesel. It is like an exhaust. Like your neighbors sometimes who play loud music. It depends on who

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 12**

hears it and who doesn't. It is the direction of it. But if you want to start with one person who wants to dare give me their phone number I will text them on a Friday night, Saturday or what have you. Hey, come on over and if you come over the odds are because they run for about twenty minutes and then they shut off. However, the odds are it will be there. It will happen. At some nights it is tremendous the noise that it generates. It is open to anybody.

Trustee Chichester stated when they hear it if they call the Police can the Policeman go over and document it for us.

Chief Tenaglia replied ahuh.

Trustee Chichester stated when you hear it at that point, I want you to call the Police. They will come over and they'll document it. Now we will have reports. Whenever it gets bad and you hear it, both of you, call the Police. They will be advised why they are going over there.

Mr. Lenahan replied yes advise them, so they don't say it is crazy Lenahan again.

Trustee Chichester stated that is a report I am looking to get generated.

Chief Tenaglia replied I will also research the Ordinance to see if it is something.

Trustee Chichester responded absolutely.

Mr. Kelly asked how many trucks do they have that are refrigerated?

Trustee Chichester replied we have a lot of research to do on this.

**DISCUSSION**

Mr. Sainato asked how many trailers are on their site plan at one time? Are they violating that? Is there any hope in that?

Mayor stated certainly when they got site plan approval, they were approved on how many they can have parked.

Trustee Chichester replied that will be part of the research that will do.

Mr. Lenahan responded I will not do it right away because you have to let all your staff know so they don't try to arrest me for calling them.

Trustee Chichester replied that might solve it too.

**DISCUSSION**

**MOTION** was made by Trustee Chichester to enter into Executive Session for Attorney Client Privilege to discuss an HR issue.

**SECOND** by Trustee Daly  
**ALL IN FAVOR**

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

The following was given by Mayor Medina:

**VILLAGE OF HARRIMAN, NEW YORK**  
**VILLAGE BOARD MEETING**  
**February 8, 2022**  
**Page 13**

Executive Session with David Darwin, Esq.

**MOTION** was made by Trustee Daly to adjourn Executive Session and return to Regular Meeting.

**SECOND** was made by Trustee Mitchell

**ALL IN FAVOR**

**MOTION** was made by Deputy Mayor Schneider to adjourn Regular meeting at 8:50pm.

**SECOND** was made by Trustee Chichester

**ALL IN FAVOR**

Respectfully submitted by: \_\_\_\_\_

Jane Leake, Village Clerk