

VILLAGE OF HARRIMAN, NEW YORK

VILLAGE BOARD MEETING

July 14, 2020

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6:45pm – Audit Bills

7:20pm – Public Hearing – Village View Drainage District

7:25pm – Public Hearing – Local Law *8

7:30pm – Regular Meeting

PUBLIC HEARING

Mayor read:

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Harriman at the Village Hall, 12 Church Street, Harriman, New York 10926, on July 14, 2020 at 7:25 P.M., to hear all persons interested in the proposed operation and maintenance of the stormwater and drainage basin located within the special benefit assessment area established by Local Law no. 6 of 2020, the for the residential development proposed on property located in the Village of Harriman, off of Orchard Road (Town of Monroe Tax Map. No. 101 – 1-1.3 as a local improvement and assessment of the cost thereof upon said benefitted property, and with respect to the following matters that will be determined after such hearing:

- 1.: Whether to authorize the local improvement,
2. The percentage of cost to be assessed upon the lands benefitted thereby and the percentage, if any, to be borne by the Village at large;
3. The lands which will be benefitted by such local improvement; and
4. The map or plan of the proposed assessment area, showing the lands so determined to be benefitted.

PLEASE TAKE FURTHER NOTICE, that at this public hearing, the Board will also review and complete the assessment map and roll concerning the operation and maintenance of the stormwater basin as a local improvement and to hear and consider objections to the apportionment of costs and/or the assessment map or roll. Said proposed map and roll is available for examination by any person at the Village Clerk's office at the above address during normal business hours.

Mayor asked did we receive any written comments regarding this?

Clerk replied no.

No Comments

PUBLIC HEARING

Mayor read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing applicable to a proposed local law entitled "A local law to Amend Chapter 132, Article VI of the Village Code, §132-45 Schedule XI of the Village Code, Parking Prohibited at All Times and § 132-47, Schedule XIII of the Village Code, No Standing," at the Harriman Village Hall located at 12 Church Street, Harriman, New York, on July 14, 2020 at 7:20 p.m. or as soon thereafter as the matter may be heard.

This local law, if adopted, will amend Village Code Chapter 132, Article VI, § 132--45 "Schedule XI, Parking Prohibited at All Times," and Village Code Chapter 132, Article VI, § 132—47 "Schedule XIII, No Standing," by adding that portion of Bailey Farm Road located in the Village of Harriman as a street upon which parking is prohibited at all times and on which standing is prohibited, on both sides of the street, and for the entire length of Bailey Farm Road within the Village of Harriman.

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.

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Mayor asked did we receive any written comments?

Clerk replied no.

No Comments

MOTION was made by Trustee Chichester to close both public hearings.

SECOND was made by Trustee Daly

AYE: Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

REGULAR MEETING

ROLL CALL

Mayor Stephen Welle, Trustee G. Bruce Chichester, Trustee Sandra Daly, Trustee Lou Medina, Village Clerk Jane Leake, Building Inspector, John Hagar, Police Chief, Dan Henderson, DPW Superintendent, Kyle Livsey and Village Attorney, Dave Darwin

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 June 9, 2020 Regular Board Meeting?

MOTION was made by Trustee Daly to accept the minutes of June 9, 2020 Regular Board Meeting.

SECOND was made by Trustee Medina

AYE: Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

INFORMATIONAL ITEMS:

Mayor stated it has been posted on the website, is available on the back table and anyone who signed up for emails from the Village received the Village of Harriman's Guidelines for in person meetings. This will be this way for a while. This is the best we can do under the circumstances, but at least we get to have meetings again where we are all in the same room, conducting business and it gives people access to the Board.

This evening's bills were audited:	<u>2020</u>	<u>2021</u>
Trust & Agency	\$	\$ 1,011.04
Capital Building	\$,968.72	
General Fund	\$ 4,779.07	\$215,453.77
Water Fund	\$ 5,302.77	\$150,950.92

Upcoming Meeting Dates:

Zoning Board of Appeals – August 5, 2020
Village Board – August 11, 2020
Planning Board – July 20, 2020

- Heritage Trail in Harriman is officially open.
- Brush Pick-Up - we continue to pick up brush on a weekly basis. Ask that you put it at the edge of your property not on a sidewalk or in the street.
- Email Alerts for any Harriman Water Customers you can sign up for. It tells you when the bills are coming out, when the late fees are going on and any general information regarding the water.

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- Although Village Hall is remaining closed to the public, employees are here between the hours of 8-3pm to take your calls. Email addresses are listed on the website. There is a lockbox outside the door where you came in this evening if you should want to drop off bills or other correspondence. The box is emptied on a regular basis. The Court is staffed sporadically. They can be reached at 782-6853 or email at villageofharrimancourt@villageofharriman.org and that information is also listed on the website.
- 2 Maple Avenue – the contractor says he is going to get started. He is waiting back for the Department of Labor permit, I believe.

Attorney Darwin asked did you get the contract they signed.

Mayor replied no.

Attorney Darwin stated they signed the contract and sent them over to me by email and I forward it over to Andersen Design. I will get them to you tomorrow.

- Mary Harriman Park remains opened, but unfortunately the restrooms have to remain closed as we can not meet the CDC Guidelines for the amount of times in a day when they would need to be disinfected. So, they have to remain closed for now.
- NYS website is listed on our website for any information regarding the COVID 19.
- Village of Woodbury scheduled a Public Hearing, Local Law #8 of 2020 for July 23rd at 7:30pm. This is not a public attendance meeting. It will be a Zoom Meeting. Information is here at Village Hall and it has to do with wireless telecommunications siting. If you can't find the information and you want to be a part of it, we have the information here at Village Hall.

ADDITIONS:

- 15a) Grant Writer Agreement
- 8 f) Park Request – Monroe Fire Department

PRESENTATIONS

Chief Henderson stated this is for an exceptional police investigation by two of my Officers.

Chief read:

I am submitting this letter to the Village of Harriman Board as acknowledgement of an excellent exceptional police investigation by Officer John Levison, who has since been promoted to Sergeant and Officer Ludewig. On January 14, 2020 Officer Levison received a complaint of a home invasion burglary that occurred at 6 Brookside Drive West. Two subjects entered the home unlawfully and were heard by the homeowner who was sleeping at the time. The homeowner got up and observed two African American Males wearing ski masks in another bedroom. The homeowner went back to his room and locked the door. The two suspects followed and tried to gain access to the room that the homeowner was in. They were unsuccessful and then fled the residence. With limited information on who the suspects were Officer Levison and Ludewig began an extensive investigation which included interviews of numerous residence that live in the Brookside area and viewing surveillance footage from nearby Mercedes, Walmart and IHOP. The suspects were caught on video by the Mercedes security cameras walking on Mercedes Way and then toward the Well Pump House and toward Walmart. The Officers then went to Walmart to see if there was a possibility of a video surveillance of the suspects purchasing their ski masks there. The Officers did observe what appeared to be two suspects stealing masks from the Walmart and fleeing in a black sedan. The Officers then went to IHOP and observed further video which showed suspect's vehicle parked behind the building and the suspects getting into the vehicle after the burglary. The Officers took photos from the video and with further investigation and with the cooperation of the homeowner were able to identify the suspect. Using all the information gathered the

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Officers were able to locate the suspect, obtain a statement of admission and arrest the suspect for felony burglary. This excellent investigation is an example of the hard work, dedication, and professionalism that I not only expect, but is also expected by the public and the victims that we serve. With the Boards approval and according to the Department Rules and Regulations I will be granting each Officer an Administrative Day Off and issuing a Uniform Citation for their Excellent Police Work. Congratulations to both Officers on the great work involved in this investigation.

Mayor stated thank you Chief and from the Village Board and although this took place in January and the Chief and I discussed that we were going to do something and then COVID hit. Although it is July and John is now a Sergeant, we are moving forward with it.

Mayor read:

This letter of commendation is presented to Sergeant John Levison for his outstanding performance of duty. In January, Sergeant Levison, working in conjunction with Officer Ludewig investigated a home invasion case and were able to swiftly identify and arrest the suspects. Through their efforts and determination, this case was solved in a truly short period of time. We want to take this opportunity to thank Sergeant Levison for his exceptional work and dedication to the Village of Harriman.

Mayor stated John thank you and Congratulations on a job very well done.

Mayor read:

This letter of commendation is presented to Officer Andrew Ludewig for his outstanding performance of duty. In January, Officer Ludewig, working in conjunction with Sergeant Levison investigated a home invasion case and were able to swiftly identify and arrest the suspects. Through their efforts and determination, this case was solved in a truly short period of time. We want to take this opportunity to thank Sergeant Levison for his exceptional work and dedication to the Village of Harriman.

Mayor stated Andrew thank you and Congratulations on a job very well done and again I want to thank the Chief and the Officers for the work they do on a daily basis. Not only protecting but serving the residents and businesses of the Village of Harriman. Thank you!

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report – Funds \$30.00

Water Account Adjustments – see attached report

Court Reports – no reports

Building Department – see attached report

\$ 500.00	Building Permits
\$ 300.00	Violation Searches
<u>\$ 50.00</u>	Building Permit Extension
\$ 850.00	TOTAL

RESIGNATIONS & RETIREMENTS

Mayor stated Deputy Mayor Farrell moved to Chicago and submitted a letter of resignation.

Mayor read:

With the usual mix of emotions that accompany a change, it is with a heavy heart that I offer my resignation from the Village Board effective Tuesday, June 22, 2020. Although I am sad to be leaving an area that I truly love, I am excited to start a new adventure in Chicago. Having been a resident of the Village of Harriman for over 30 years has given me the vantage of seeing how our area has grown and in some ways changed and yet, the dedication of you, the board of trustees and employees of the village of Harriman to the residents we serve has always remained a constant. I am proud to have been part of a team that works hard and tirelessly and gives their best each and every day. Please know that the Village of Harriman will always hold a special place in my heart. Sincerely, Collen Farrell

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MOTION was made by Trustee Chichester to accept Deputy Mayor Farrell's resignation effective June 22, 2020.

SECOND was made by Trustee Medina

AYE: Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor stated ZBA, Chairperson, Carol Schneider submitted a letter of resignation.

Mayor read:

This is to notify you that I am resigning my position as ZBA Chairperson effective July 1, 2020. I have enjoyed working with the Zoning Board team. I appreciate the professional development and education I have received. I will be happy to assist with the transition any way I can.

MOTION was made by Trustee Daly to accept ZBA Chairperson, Carol Schneider's resignation effective July 1, 2020.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor stated this one is from Richard Jackson addressed to the Chief of Police.

Mayor read:

It is a hard decision, but between my age and the changes in policing occurring in the State of New York and throughout the Country, I have decided to end my police career with the Village of Harriman Police Department. This would be effective July 31, 2020.

Mayor continued Richard has been a Part-Time Police Officer for several years. Going back to the beginning of his career he actually was a full time Police Officer here and then he went to, I believe, Sullivan County and then wound up with Woodbury for the majority of his career and when he retired from Woodbury he came back here as a Part-Time Officer.

MOTION was made by Trustee Chichester to accept Part-Time Police Officer, Richard Jackson's resignation effective July 31, 2020.

SECOND was made by Trustee Medina

AYE: Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor stated next is from Kenneth Gopel.

Mayor read:

Please accept this letter as my official notice of retirement from my position of Motor Equipment Operator with the Village of Harriman. My last day of employment will be the 29th of July 2020. It has been a pleasure to work alongside the individuals at the Village of Harriman and I will always appreciate the experience and knowledge I have gained during my time here. Please let me know if I can assist in any way with this transition.

MOTION was made by Trustee Daly to accept Kenneth Gopel's retirement effective July 29, 2020.

SECOND was made by Trustee Medina

AYE: Trustee Chichester
Trustee Daly
Trustee Medina

NAY:
NONE

Mayor continued Ken has been here over 32 years and he has done a very good job for the Village. He will be missed, and I wish him nothing but the best in this retirement.

APPOINTMENTS

Mayor stated these are all to fill vacancy's so there is no motion needed.

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Carol Schneider, to the position of Trustee.
Lou Medina, as Deputy Mayor.
Reyna Sandoval, as ZBA Chairwoman
Elsie Cruz, as a ZBA Member
Christine Paez, as a ZBA Member

Thank you, we appreciate your willingness to step in and help out the Village.

PARK REQUEST

Cooley – July 18, 2020 – 3-7pm – advised the restrooms are not available

MOTION was made by Trustee Medina to approve the Park Request for July 18, 2020.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester	NAY:
Trustee Daly	NONE
Trustee Medina	
Trustee Schneider - Abstain	

Janvier – July 4, 2pm – 6:30pm

MOTION was made by Trustee Chichester to approve the Park Request for July 4, 2020.

SECOND was made by Trustee Daly

AYE: Trustee Chichester	NAY:
Trustee Daly	NONE
Trustee Medina	
Trustee Schneider - Abstain	

Smith/Moore – from June 13, 11 – 7pm to July 24, 2020 – notified about the restrooms

MOTION was made by Trustee Chichester to approve the Park Request date change to July 24, 2020.

SECOND was made by Trustee Daly

AYE: Trustee Chichester	NAY:
Trustee Daly	NONE
Trustee Medina	
Trustee Schneider - Abstain	

Abdalla – July 19, 12 – 8:30pm – notified about the restrooms

MOTION was made by Trustee Daly to approve the Park Request for July 19, 2020.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester	NAY:
Trustee Daly	NONE
Trustee Medina	
Trustee Schneider – Abstain	

Bauman – July 24, 4 – 8pm – notified about the restrooms

MOTION was made by Trustee Daly to approve the Park Request for July 24, 2020.

SECOND was made by Trustee Medina

AYE: Trustee Chichester	NAY:
Trustee Daly	NONE
Trustee Medina	
Trustee Schneider – Abstain	

Monroe Fire Department – August 22, 9 – 6pm

MOTION was made by Trustee Chichester to approve the Park Request for August 22, 2020 with fee waived.

SECOND was made by Trustee Daly

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AYE: Trustee Chichester
Trustee Daly
Trustee Medina
Trustee Schneider - Abstain

NAY:
NONE

VILLAGE VIEW DRAINAGE DISTRICT

Mayor stated this will be Resolution #5 of 2020. Public Hearing was held this evening with no written of public comments. All documents including letter from the Principal on the Consolidated Public Hearing has been received.

MOTION was made by Trustee Medina to adopt Resolution #5 of 2020.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Daly
Trustee Medina
Trustee Schneider - Abstain

NAY:
NONE

LOCAL LAW #8

Mayor stated this Local Law will create a No Parking, No Standing Zoning for the entire length of Bailey Farm Road within the Village of Harriman. Public Hearing was held this evening with no written of public comments.

MOTION was made by Trustee Chichester to approve Local Law #8 of 2020.

SECOND was made by Trustee Daly

AYE: Trustee Chichester
Trustee Daly
Trustee Medina
Trustee Schneider - Abstain

NAY:
NONE

REQUEST DPW SUPT – ORANGE COUNTY SUPERINTENDENTS ASSOCIATION

Mayor stated a request to join the Orange County Highway Superintendents Association with an annual membership fee of \$100.00.

MOTION was made by Trustee Medina to approve the DPW Superintendents annual membership to the Orange County Highway Superintendents Association.

SECOND was made by Trustee Daly

AYE: Trustee Chichester
Trustee Daly
Trustee Medina
Trustee Schneider - Abstain

NAY:
NONE

REQUEST DPW PERSONAL TIME

Mayor stated Ken Gopel and Ron Krzywicki each ended the fiscal year with 16hours personal time which they were not able to take due to the added responsibilities that they had.

MOTION was made by Trustee Daly to approve granting Ken Gopel and Ron Krzywicki each 16 hours of personal time to be used within this 1st quarter of the fiscal year.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Daly
Trustee Medina
Trustee Schneider - Abstain

NAY:
NONE

REQUEST BUILDING INSPECTOR – APPROVALS EXTENSION

Mayor stated the Governors Executive Order 202 of 2020 grants local governments the ability to a single resolution to extend for a period of up to 120 days beyond the stated expiration date on Building Permits issued before March 7, 2020. Local Zoning Board of Appeals and Local Planning Board active approvals

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issued before March 7, 2020 and this would be good through December 31, 2021 when it will be repealed.

MOTION was made by Trustee Medina to grant the 120 days on all Building Permits, ZBA approvals and Planning Board Expiration dates issued prior to March 7, 2020.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester

Trustee Daly

Trustee Medina

Trustee Schneider - Abstain

NAY:

NONE

PBA CONTRACT CORRECTION

Mayor stated the 2020-2024 PBA Contract a sentence was omitted in Section 9.5 Bereavement Leave. In the first paragraph, the second sentence was omitted which is contrary to the Memorandum of Agreement.

MOTION was made by Trustee Medina to adopt a Resolution to add the second sentence back into the approved contract.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester

Trustee Daly

Trustee Medina

Trustee Schneider - Abstain

NAY:

NONE

BUDGET ADJUSTMENT, TRANSFER, MODIFICATION

Mayor stated we have budget adjustments, transfers, and modification from the Village Treasurer in memos dated July 7 & 8 of 2020.

MOTION was made by Trustee Chichester to adopt the budget adjustments, transfers, and modifications the Treasurer has outlined in her memos dated July 7 and 8, 2020.

SECOND was made by Trustee Medina

AYE: Trustee Chichester

Trustee Daly

Trustee Medina

Trustee Schneider - Abstain

NAY:

NONE

GRANT WRITER AGREEMENT

Mayor stated the grant writer agreement, although the Board approved two months ago to extend the contract with the grant writer which we have in conjunction with the Town and Village of Monroe we need to authorize myself to sign the agreement.

MOTION was made by Trustee Daly to authorize the Mayor to sign the Grant Writer Agreement.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester

Trustee Daly

Trustee Medina

Trustee Schneider - Abstain

NAY:

NONE

ATTORNEY REPORT

Attorney Darwin stated nothing else right now.

PUBLIC COMMENT –

Jim Kelly stated we have quite a few park people coming into there and you have no place for them to go to the bathroom and you said you told them that, but what is that going to look like?

Mayor replied if we have a problem, we will close the park. People are aware. Some of them already said they will be sending people back to their residences.

Mr. Kelly asked if they would pay an extra fee couldn't you get someone?

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Mayor replied it has to be done every three hours to meet the CDC Guidelines. This is why we just can't do it.

Trustee Medina stated some of the applications are only for a couple of hours.

Mayor replied they are not all for lengthy periods of time. I feel bad about it, but we can't.

MOTION was made by Trustee Chichester to Enter into Executive Session for some Litigation Issues and Attorney Client Privilege Items.

SECOND was made by Trustee Medina

AYE: Trustee Chichester
Trustee Daly
Trustee Medina
Trustee Schneider

NAY:
NONE

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

The following was given by Mayor Welle:

Executive Session with David Darwin, Esq.

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

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Chichester to authorize the Village Attorney to file a Consolidated Claim regarding the "National Prescription Opiate Litigation, MDL 2804".

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Medina to create the position of Part-Time MEO.

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Trustee Chichester to hire John Clark as a Part – Time MEO at \$40.00/hr. effective July 30, 2020 with 52 weeks probation.

SECOND was made by Trustee Schneider

ALL IN FAVOR

REQUEST – Water Account 754 – Late Fee Waiver

NO MOTION – Request Denied

MOTION was made by Trustee Daly to adjourn Regular meeting at 9:55pm.

SECOND was made by Trustee Schneider

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk