



Village of Harriman

1 Church Street

Harriman, New York 10926

TEL: (845) 783-4421

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VILLAGE BOARD MEETING

May 10, 2022

7:00PM – AUDIT BILLS

7:30PM – REGULAR MEETING

AGENDA

1. **ROLL CALL – PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF MINUTES – April 12, 2022**
3. **INFORMATIONAL ITEMS**
4. **DEPARTMENT REPORTS**
5. **NEW HIRE – Seasonal Laborer, M. Kenny**
6. **NEW HIRE – Seasonal Laborer, R. Perlmutter**
7. **PROBATION RELEASE – Sgt. Ludewig**
8. **AMEND EMPLOYEE HANDBOOK – Holiday Calendar**
9. **APPOINT NEW ZBA MEMBER**
10. **LEGAL NOTICES – Budget and Tax Collection**
11. **AUTHORIZE SIGNING ACCEPTANCE of WIIA GRANT AWARD HH3**
12. **AUTHORIZE SIGNING ACCEPTANCE of WIIA GRANT AWARD HM1a**
13. **AUTHORIZATION to SIGN ENVIRONMENTAL ATTORNEY RETAINER**
14. **SCHEDULE PUBLIC HEARING – Repeal Tax Cap Override**
15. **SCHEDULE PUBLIC HEARING – Chapter 74 and 78 Changes**
16. **WATER REQUESTS – a) Acct 297 b) Acct 188 c) 730**
17. **BUDGET TRANSFERS AND ADJUSTMENTS**
18. **ATTORNEY COMMENT**
19. **PUBLIC COMMENT**
20. **POSSIBLE MOTION TO ENTER EXECUTIVE SESSION**

UPCOMING MEETING DATES:

PLANNING BOARD MEETING:

May 16, 2022

ZONING BOARD OF APPEALS MEETING:

June 1, 2022

VILLAGE BOARD MEETING:

June 14, 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 Sandra Daly, Trustee Wayne Mitchell, Village Clerk Jane Leake, Chief, Patrick Tenaglia, and Village Attorney, Dave Darwin

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 April 12, 2022, Regular Board Meeting?

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

SECOND was made by Trustee Daly

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

INFORMATIONAL ITEMS

This evening's bills were audited:

Trust & Agency	\$	675 96
General Fund	\$	18,482.05
Water Fund	\$	35,036.27
Engineering Fees	\$	3,298.20

- Up Coming Meeting Dates:
 - Planning Board – May 16, 2022
 - Zoning Board of Appeals – June 1, 2022
 - Village Board – June 14, 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 as you enter the building 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.
- Residence and the public can also sign up on the Village website to receive email alerts or general village and community information or information regarding water billing dates.
- Reminder: Water Bills went out on May 1st and are due May 30th to avoid penalties. Water customers can also pay water bills online at the villageofharriman.org website.

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- Brush Pick-up continues – we ask that you 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.
- Unfortunately, the DPW workshop that was scheduled for April 13th was cancelled by the Cornell University Trainers a couple of days before the event. We will be rescheduling for some time in June and will open it up once again to the surrounding municipalities DPW crews to also participate.
- The WIIA Grants (Water Infrastructure Improvement Act) were awarded and two of our applications were awarded, for a total of approximately \$823,000. Tonight, the Board will be authorizing the acceptance of these grants for one large project in MH1 Well and HH3 Well off Harriman Heights Road. I would like to thank all those involved in participating and submitting the applications.
- I spoke at the April 18th Town of Monroe Public Hearing regarding the Dinosaur Park, to express the Villages concerns with traffic and quality of life. I was glad to see that the project was withdrawn 9 days later. Let's hope this idea remains extinct!
- I attend the OCSD#1 Legislature Advisory Committee meeting on April 20th. Unfortunately, it appears that there still has not been much definitive progress. They're still collecting data and targeting a presentation of alternatives for July 2022. Delaware Engineering anticipates a Final Facility Plan and EAF findings by December 2022. The Final Facility Plan incorporates alternatives for longevity, regulatory compliance, and capacity expansions. The committee is also still working to receive a variance for increased capacity from 6 to 9 million and would require a second variance that can only occur after the permit is received. And they will still need to apply for grants and additional funding. So, this is still plodding along. We'll see what develops by the end of 2022.
- Clean Sweep was held on April 23rd and was a very successful event. This was a joint venture with the Greater Monroe Chamber of Commerce and the Town of Monroe and Village of Harriman and Monroe. Community Volunteers filled a 30-foot container with garbage and another one filled with old tires. There was also a mobile paper shredder truck that was busy the whole time. Thanks to everyone who volunteered and I want to thank our DPW and Police Departments who did a great job keeping everyone safe and supported.
- Due to rain last weekend, the MWLL Opening Day Parade was re-scheduled for this Saturday, May 14th at 10:00am from Millpond Parkway and ends in Smith Clove Park. Spectators can view along the parade route followed by an Opening Ceremony in Smith Clove Park.
- Summit Avenue paving is planned for the week of May 16th. It should take a day or two to complete and the exact day is depending on weather. Notices will be sent out.
- On May 17th, the Village of Monroe is holding a Public Hearing for a proposed Local Law for a moratorium on Land Development Approvals. Scheduled for Tuesday, May 17th at 7pm in the Monroe Village Hall at 7 Stage Road.
- Hydrant Flushing will be the week of May 23rd. Water may be discolored, but it is safe to drink. The Water Department will be sending out notices and it will be posted in the paper.

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- Memorial Day Parade is scheduled for Sunday, May 30th starting at 1:30pm at Smith Clove Park. Some details are still being finalized by the Village of Monroe, but we will be posting and sending out flyers as information becomes available.
- AGENDA REVISIONS:
Remove Item #6

DEPARTMENT REPORTS

Treasurer Report – see attached report

DPW – see attached report

Police Department – see attached report

Water Account Adjustments – see attached report

Court Reports – see attached report March - \$12,573.00 – Village received \$8,605.00
April Court Total - \$9,834.00

Building Department – see attached report

\$ 662.00	5 Building Permit
75.00	1 Fire Safety Inspection
300.00	2 Violation Searches
<u>100.00</u>	2 Rental Registrations
<u>\$ 1,137.00</u>	

NEW HIRE – Seasonal Laborer, M. Kenny

Mayor stated this is a labor position pre-approved by the Board to start on May 2, 2022, at an hourly rate of \$19.00 working Monday – Friday 7am – 3:30pm reporting to the DPW Superintendent. Mr. Kenny’s employment end date will be approximately October 30, 2022.

MOTION was made by Trustee Mitchell to approve hiring seasonal laborer, Matthew Kenny at an hourly rate of \$19.00 with an approximately ending date of October 30, 2022.

SECOND was made by Deputy Mayor Schneider

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

SERGEANT LUDEWIG – Probation Release

Mayor stated the Board has received a letter from Chief Tenaglia regarding Sergeant Ludwig’s probation requesting he be taken off probation effective May 9, 2022.

MOTION was made by Trustee Chichester to approve releasing Sergeant Ludewig from probation effective May 9, 2022

SECOND was made by Trustee Daly

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

EMPLOYEE HANDBOOK AMENDMENTS

Mayor stated as the Board recalls we adjusted the Holiday Calendar at our April Reorg meeting to include Juneteenth the Federal and State Holiday in place of Lincoln’s Birthday.

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MOTION was made by Deputy Mayor Schneider to approve making the Holiday Calendar amendment to the Employee Handbook.

SECOND was made by Trustee Chichester

AYE: Trustee Daly
Trustee Mitchell
Trustee Chichester
Deputy Mayor Schneider

NAY:
NONE

Mayor continued the second amendment is to Section 802 Vacation Leave. This is specific to the allowance of vacation leave time for part-time employees. The wording as it exists today in the handbook is doing a calculation based on a 5-day work week. This revision is to allow for when we don't have part-time employees with five-day work weeks, which is the case with our Building Department.

MOTION was made by Deputy Mayor Schneider to approve the Vacation Leave Section 802 amendment to the Employee Handbook.

SECOND was made by Trustee Chichester

AYE: Trustee Daly
Trustee Mitchell
Trustee Chichester
Deputy Mayor Schneider

NAY:
NONE

ZONING BOARD OF APPEALS APPOINTMENT

MOTION was made by Mayor Medina to appoint Golan Saker to the Zoning Board of Appeals position with a term ending March 2025, effective June 1st.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Schneider
Trustee Mitchell

NAY:
NONE

LEGAL NOTICES – Budget and Tax Collection

Mayor read

YOU ARE HEREBY DIRECTED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$2,026,683.05 for the following purposes:

FOR THE CURRENT BUDGET: \$1,996,970.00

DELINQUENT MAINTENANCE: \$1,737.19

DELINQUENT WATER: \$27,975.86

YOU ARE FURTHER DIRECTED to receive and collect such sums without additional charge between the 1st day of June and the 1st day of July: both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five per cenum for the first month or fraction thereof and one per cenum for each month or fraction thereof thereafter until paid.

YOU ARE FURTHER DIRECTED to file the tax roll and warrant in your office on or before the Thirty-first of October 2022 and to deliver to the Orange County Commissioner of Finance in Goshen the taxes remaining due and unpaid; showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

Mayor stated this will be dated May 16th in the Times Herald Record.

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MOTION was made by Trustee Daly to approve the Budget and Tax Collection Legal Notice.

SECOND was made by Trustee Chichester

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

AUTHORIZE SIGNING ACCEPTANCE of WIIA GRANT AWARD HH3

Mayor stated this grant award is not to exceed \$284,955.00 for the Harriman Heights 3 Well improvements.

MOTION was made by Trustee Daly to authorize the Mayor to sign the Acknowledgement and Acceptance of the WIIA Grant Award for Harriman Heights 3 Well.

SECOND was made by Deputy Mayor Schneider

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

AUTHORIZE SIGNING ACCEPTANCE of WIIA GRANT AWARD HM1a

Mayor stated this grant is for Mary Harriman 1 PFOS removal and the amount is not to exceed \$538,551.00.

MOTION was made by Trustee Chichester to authorize the Mayor to sign the Acknowledgement and Acceptance of the WIIA Grant Award for Mary Harriman 1 Well.

SECOND was made by Trustee Mitchell

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

AUTHORIZATION TO SIGN ENVIRONMENTAL ATTORNEY RETAINER

Mayor stated as the Board is aware on March 11th the Takasago Company on Commerce Drive had a hazardous matter spill of Fire Fighting Foam on their property. Site mitigation measures mandated by the DEC were implemented in conjunction with the DEC, Village of Harriman DPW, Code Enforcement and our Water Consultants with Takasago. We received the soil results and sample lab results in mid-April and as expected they exceeded the MDLs. Although the Well on Commerce Drive tested and continues to test clean our concern is the release by Takasago hazardous substances containing PFAS into the environment and in close proximity to the Village Public Water Supply. While Takasago and DEC continue to work on the interim remedial measures the Consultant Team and I think it is prudent for the Village to retain the services of an Environmental Attorney to advise the Village on the Environmental and Legal aspects of the spill and its potential impacts on the Village Water System.

MOTION was made by Trustee Chichester to authorize the Mayor to sign the Environmental Attorney Retainer Agreement with Keane & Beane Attorneys at Law.

SECOND was made by Trustee Mitchell

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

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Trustee Daly asked how much is the retainer for?

Mayor replied the retainer is on an hourly basis at \$375.00. He also works with two Associates that are \$250.00 and \$225.00 an hour each. It is on an as needed basis

SCHEDULE PUBLIC HEARING – Repeal Tax Cap Override

Mayor stated this is to schedule a Public Hearing for June 14th at 7:20pm for the purpose of repealing Local Law 2022-02 Tax Cap Override.

MOTION was made by Deputy Mayor Schneider to approve scheduling a Public Hearing to repeal Local Law 2022-02 Tax Cap Override for June 14th at 7:20pm.

SECOND was made by Trustee Daly

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

SCHEDULE PUBLIC HEARING – Chapter 74 and 78 Changes

Mayor stated this is to schedule a Public Hearing for changes to Chapter 74 and 78 on June 14 at 7:25pm.

MOTION was made by Trustee Chichester to approve scheduling a Public Hearing for changes to Chapter 74 (fees) and Chapter 78 for Fire Prevention and Building Code related to periodic inspections and fees for June 14th 7:25pm.

SECOND was made by Trustee Mitchell

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

WATER ACCOUNT REQUESTS

Account 297 – Penalty Waivers

MOTION was made by Trustee Daly to approve a 1x waiver for Account 297.

SECOND was made by Trustee Chichester

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

Account 188 – Penalty Waivers

MOTION was made by Trustee Chichester to approve a 1x waiver for Account 188.

SECOND was made by Deputy Mayor Schneider

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

Account 730 – Penalty Waivers

MOTION was made by Trustee Daly to approve a 1x waiver for Account 730.

SECOND was made by Trustee Chichester

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AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Schneider
Trustee Mitchell

NAY:
NONE

BUDGET TRANSFERS

Mayor stated the Board received a Budget Transfer request from the Treasurer. Mayor read the memo. **MOTION** was made by Trustee Chichester to approve the Budget Transfers that are outlined in the Treasurer's memo of May 6, 2022.

SECOND was made by Trustee Mitchell

AYE: Trustee Daly
Trustee Mitchell
Trustee Chichester
Deputy Mayor Schneider

NAY:
NONE

ATTORNEY REPORT

Attorney Darwin asked in regard to the changes to Chapter 74 and 78 do you need me to draft a Local Law and will you send me what the proposed changes are?

Mayor replied yes. We have a mark up right now that has been reviewed by the Building Department and next I will send it to you. Did we hear anything back from Orange County about the ELT Tax Certiorari?

Attorney replied no. I have not heard anything. I can reach out again and see what thought is being given to the proposal. It may have something to do with the transition in the County Attorney's Office.

PUBLIC COMMENT - NONE

MOTION was made by Deputy Mayor Schneider to adjourn Regular meeting at 8:01pm.

SECOND was made by Trustee Mitchell

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk