



# *Village of Harriman*

1 Church Street  
Harriman, New York 10926  
TEL: (845) 783-4421  
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## **VILLAGE BOARD MEETING MAY 12, 2020**

**VIA TELECONFERENCE ONLY  
CALL (408) 418-9388  
MEETING NUMBER (ACCESS CODE): 622 524 640  
MEETING PASSWORD: 4421**

**IN PERSON ATTENDANCE WILL NOT BE PERMITTED**

**7:20PM – PUBLIC HEARING LL #6 2020– Drainage District  
7:25PM – PUBLIC HEARING LL #7 2020 – Repeal LL #1 – Tax Levy  
7:30PM – REGULAR MEETING**

### **AGENDA**

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES – April 7, 2020 & April 14, 2020**
- 3. INFORMATIONAL ITEMS**
- 4. DEPARTMENT REPORTS**
- 5. MOTION TO PAY BILLS**
- 6. LL #6 2020 – DRAINAGE DISTRICT**
- 7. LL #7 2020 – REPEAL LL #1 – Tax Levy**
- 8. WSP ANNUAL PROPOSAL 2020-2021**
- 9. PAVILLION RESERVATION REFUND REQUEST – 5/16**
- 10. DPW SUPT- APPOINTMENT**
- 11. WATER MAINTENANCE LEADER**
- 12. EMPLOYEE VACATION TIME**
- 13. WATER ACCOUNT 278 REQUEST**
- 14. ASBESTOS AIR MONITORING PROPOSAL 2 MAPLE**
- 15. PBA CONTRACT 6/1/2020 – 5/31/2024**
- 16. DPW CONTRACT 6/1/2020 – 5/31/2024**
- 17. PBA CLOTHING MAINTENCE ALLOWANCE**
- 18. BUDGET TRANSFERS**
- 19. MILLENIUM STRATEGIES GRANT WRITING AGREEMENT**
- 20. LEGAL NOTICES – BUDGET and TAX COLLECTION**
- 21. PROBATION – OFFICER LUDEWIG**
- 22. ATTORNEY REPORT**
- 23. PUBLIC COMMENT**
- 24. MOTION TO ENTER ATTORNEY CLIENT SESSION**

### **UPCOMING MEETING DATES:**

<b>VILLAGE BOARD MEETING:</b>	<b>June 9, 2020</b>
<b>PLANNING BOARD MEETING:</b>	<b>June 15, 2020</b>

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**7:20pm – Public Hearing Local Law #6 – Drainage District**  
**7:25pm – Public Hearing Local Law #7 – Repeal LL #1 – Tax Levy**  
**7:30pm – Regular Meeting**

**PUBLIC HEARING LL #6 2020**

Mayor read:

PLEASE TAKE NOTICE that the Village Board of the Village of Harriman will hold a public hearing on a proposed local law # 6 of 2020 entitled “Benefit Assessment Area for Stormwater/Drainage Improvements” pursuant to Sections 10 and 20 of the Municipal Home Rule Law, at Harriman Village Hall, 12 Church Street, Harriman, New York on May 12, 2020 at 7:20 p.m. or as soon thereafter as the matter may be heard. In anticipation of the Governors Executive Order 202-1 still being in effect, interested parties may also participate in the Public Hearing via video or teleconference. The information for accessing the meeting will be available on the Village website – [villageofharriman.org](http://villageofharriman.org).

The purpose of this local law is to authorize the Village Board to establish a local benefit assessment area to fund the operation and maintenance of a stormwater basin and drainage improvements for a proposed residential development known as Village View Estates located off Orchard Road, Harriman New York (tax map no. 101-1-1.3), the cost of which shall be assessed against the owner(s) of the property.

A copy of the proposed local law and a copy of the map, plan and report describing the proposed benefit assessment area will be available for inspection at the Village Clerk’s office located at 12 Church St., Harriman, NY.

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 were there any written comments?

Clerk replied no.

NO PUBLIC COMMENT

Mayor stated the Public Hearing will be left opened for written comments until May 22, 2020 at 4pm

**MOTION** was made by Trustee Chichester to authorize written comments be extended for 10 days, until May 22, 2020 at 4pm.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Medina

**NAY:**  
NONE

**PUBLIC HEARING LL #7 2020**

Mayor read:

PLEASE TAKE NOTICE THAT the Village Board of the Village of Harriman will hold a public hearing on proposed Local Law No. 7 of 2020 entitled “ A Local Law to Repeal Local Law Number 1 of 2020” **at its new , temporary location at 12 church Street, Harriman, New York (formerly the Harriman School)** on May 12, 2020 at 7:25pm or soon thereafter as the matter may be heard. Said currently proposed Local Law will allow the Village of Harriman to repeal Local Law No.1 of 2020, which was adopted on February 11, 2020 which granted authority to the Village Board to override the limit on the amount of the real property taxes that may be levied, pursuant to the General Municipal Law §3-C and which would have allowed the Village Board at its discretion to adopt a Village budget for fiscal 2020/2021 that require a real property tax in excess of the tax levy.

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PLEASE TAKE FURTHER NOTICE that the Village Board adopted a Village budget for fiscal 2020/2021 that did not exceed the tax levy limit, and therefore, the Village Board wants to repeal Local Law No.1 of 2020, thereby, making the Village residents eligible for a New York State Property Tax Rebate Program.

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 did we receive any written correspondence?

Clerk replied no.

Mayor stated I do believe the Tax Rebate Program has been scrapped along with a lot of other things.

NO PUBLIC COMMENT

**MOTION** was made by Trustee Farrell to close the Public Hearing, but allow written comments for 10 days, until May 22, 2020 at 4pm.

**SECOND** was made by Trustee Sandy

**AYE:** Trustee Farrell  
Trustee Chichester  
Trustee Daly  
Trustee Medina

**NAY:**  
NONE

**REGULAR MEETING**

**ROLL CALL**

Mayor Stephen Welle, Deputy Mayor Colleen Farrell, Trustee G. Bruce Chichester, Trustee Sandra Daly, Trustee Lou Medina, Village Clerk Jane Leake and Village Attorney, Dave Darwin

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

Mayor stated I have confirmed with the Village Counsel that tonight's meeting has been convened in accordance with the Governor's March 13, 2020 Executive Order 202.1, which suspends certain provisions of the Open Meetings Law to allow a Municipal Board to convene a meeting via teleconferencing. In accordance with the Executive Order, the public has been provided with the ability to listen to and participate in tonight's meeting and a transcript will be provided at a later date. I have done a roll call of the Board Members and there is a quorum present for this meeting. I have also confirmed with the Village Clerk that this meeting has been duly noticed. We have fulfilled our legal notice requirements by posting Notices on the Village's Bulletin Boards, Village Hall Entrance Door, Village Website and it was sent to the Village Email Recipients.

**APPROVAL OF MINUTES**

Mayor asked if there are any changes or corrections to the minutes of April 7, 2020 Reorganizational or the April 14, 2020 Regular Board Meeting?

**MOTION** was made by Trustee Daly to accept the minutes of April 7 & April 14, 2020 Reorganizational and Regular Board Meeting.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**DEPARTMENT REPORTS**

Treasurer Report – see attached report  
DPW – see attached report  
Police Department – see attached report - \$45.00 in funds  
Water Account Adjustments – see attached report  
Court Reports – see attached reports  
Building Department – see attached report

\$ 100.00	Building Permits
\$ 150.00	Violation Searches
<u>\$ 300.00</u>	Periodic Inspections
\$ 550.00	<b>TOTAL</b>

**INFORMATIONAL ITEMS:**

The Board went through the bills separately.

This evening's bills were audited:

Trust & Agency	\$ 1,011.04
Capital Building	\$ 20,697.73
General Fund	\$ 71,035.55
Water Fund	\$ 56,686.12

Upcoming Meeting Dates:

Village Board – June 9, 2020

Planning Board – June 15, 2020

- We continue to pick up brush on a weekly basis. Ask that you put it at the edge of your property, butt end out, not in the street or sidewalk.
- Village Water Customers can sign up with the Village Clerk for emails advising you when bills are coming out, are due and when they will be late.
- We have been notified by Orange & Rockland and beginning on or about May 25, 2020 they will be doing tree trimming along their highline, which will take place on Melody Lane, Brookside Drive West, Oxford Lane, Route 17, and Arden House. If you have any questions you may call them. We have the telephone number here at the Village Hall if anyone is interested.
- The State continues to put out information on the COVID 19 and for any questions at all the hotline is 888-364-3065. If there are any issues people are having and cannot get resolved feel free to call Village Hall and we will try to get you in touched with the correct person.
- The rest of this week the Village Hall is staffed from 8-3pm. Starting Monday, May 18, 2020 it will be staffed from 8-4pm, but still closed to the public. You can email anyone at the Village. Email addresses are on the Website. You can call Village Hall and leave a message, and someone will get back to you.
- Currently our park and playgrounds (Mary Harriman and Edward B. Shuart Jr.) remain open. We have had a couple of instances where we had to disperse large groups of people. One being this evening at the basketball courts. We would like to be able to keep everything open, but if people are not going to adhere to the social distancing then we will have to start shutting things down. We are hoping with a few reminders people will be doing the right thing. We will be leaving the restrooms in Mary Harriman Park closed until further notice.
- Over the past month we have been able to obtain Personal Protection Equipment from Orange County Management. We did get some Surgical Masks from Assemblyman Schmitt. We

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- received Gloves, Surgical Masks and N95 Masks from Senator Skoufis. And we received another generous donation from Home Depot of Masks, Hand Sanitizer and Wipes.
- Regardless of everything that is going on, there are still people applying to the Village for use of their Property. Therefore, we are still looking for members for the Planning Board and Zoning Board of Appeals. Anyone interested we would appreciate if you can get a hold of myself or the Village Clerk so we can discuss it further with you.

**MOTION TO PAY BILLS**

Mayor stated the Bills were individually audited by the Board of Trustees in order to limit personal contact.

**MOTION** was made by Trustee Chichester to approve paying the bills.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**LOCAL LAW #6**

Mayor stated we are going to put off a vote on that until the June meeting, but we can adopt the Resolution for the EAF.

**MOTION** was made by Trustee Chichester to adopt the Resolution for the Village View Drainage District EAF.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**LOCAL LAW #7**

Mayor stated we will be accepting written comments until May 22, 2020 4pm and we will be putting this off until the June Meeting as well.

**WSP AGREEMENT**

Mayor stated we have a proposal from WSP for Hydrogeologic Services for the year 2020-2021 dated May 4, 2020 and approved by the Village Attorney.

**MOTION** was made by Trustee Farrell to authorize the Mayor to sign the WSP Proposal.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**PAVILLION RESERVATION REFUND REQUEST**

Mayor stated we have a request from Charles for a refund on the Mary Harriman Park reservation for May 16, 2020

**MOTION** was made by Trustee Daly to approve the refund on the Mary Harriman Park Reservation for Charles of May 16, 2020.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**DPW SUPERINTENDENT APPOINTMENT**

Mayor stated we have been without a DPW Superintendent for about a year and a half. I would like to appoint Kyle Livsey, effective June 1, 2020, with a six-month probation and a starting salary of \$85,000.00.

**MOTION** was made by Trustee Medina to approve appointing Kyle Livsey as DPW Superintendent, effective June 1, 2020 with a six-month probation and a starting salary of \$85,000.00.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**WATER MAINTENANCE LEADER**

Mayor stated I would like to appoint Ronald Krzywicki as Water Maintenance Leader effective June 1, 2020 at \$37.20 per hour with a six-month probation.

**MOTION** was made by Trustee Farrell to approve appointing Ronald Krzywicki as the Water Maintenance Leader, effective June 1, 2020 at \$37.20 per hour with a six-month probation.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**EMPLOYEE VACATION TIME**

Mayor stated due to the disruption caused by COVID 19 the Village will offer to buy out employee vacation days remaining as of May 31, 2020.

**MOTION** was made by Trustee Chichester to approve Employee Vacation buy out vacation time.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**WATER ACCOUNT REQUEST**

Account 278

**LACK OF MOTION – Denied**

**ASBESTOS AIR MONITORING PROPOSAL – 2 MAPLE**

Mayor stated we received two proposals. One from Quality Environmental Solutions & Technologies and the other from ABS Environmental Services. The proposals are similar. We have used ABS previously and there were some issues with their work that we were not happy with. So, it is a suggestion we authorize Quality Environmental Solutions & Technologies for the air monitoring for the 2 Maple demolition.

**MOTION** was made by Trustee Medina to accept Quality Environmental Solutions & Technologies Proposal for the air monitoring at 2 Maple Avenue for the demolition.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**PBA CONTRACT**

Mayor stated we need authorization to sign the PBA Contract for June 1, 2020 – May 31, 2024. The MOA was approved at the last meeting and this has been reviewed by the Village's Labor Attorney.

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**MOTION** was made by Trustee Daly to authorize the Mayor to sign the PBA Contract for June 1, 2020 – May 31, 2024.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**DPW CONTRACT**

Mayor stated we need authorization to sign the DPW Contract for June 1, 2020 – May 31, 2024. The MOA was approved at the last meeting and this has been reviewed by the Village's Labor Attorney.

**MOTION** was made by Trustee Farrell to authorize the Mayor to sign the DPW Contract for June 1, 2020 – May 31, 2024.

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

Mayor stated I would like to thank Colleen and Lou in assisting my in negotiating these contracts this year. I do appreciate it.

**PBA CLOTHING MAINTENANCE ALLOWANCE**

Mayor stated for the fiscal year June 20, 2020 – May 2021 Uniform Maintenance payments will be \$291.68 in June 2020 and \$583.32 in May 2021 to all full-time Officers who are employed by the Village of Harriman for the entire year. Thereafter the payments will be in accordance with the June 1, 2020 – May 31, 2024 agreement. Any Officer who's employment ceases prior to September 30, 2020 will refund a pro rata share of their clothing maintenance allowance to the Village and at the same time we are going to look into approving Officer Ludewig receiving \$656.25 in the last pay period of May 2020 which represents his pro-rata share of the uniform maintenance allowance for the year 2019 – 2020.

**MOTION** was made by Trustee Chichester to approve the PBA Clothing Maintenance Allowance of \$291.68 for June 2020 and \$583.32 in May 2021 and thereafter payments will be in accordance with the June 1, 2020 – May 31, 2024 agreement. Also, Officer Ludewig's pro-rata share of the Uniform Maintenance Allowance for 2019-2020.

**SECOND** was made by Trustee Medina

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**BUDGET TRANSFERS**

Mayor stated we have budget transfer as stated in the Treasurers May 8, 2020 memo.

**MOTION** was made by Trustee Sandy to approve the Budget Transfer as outlined in the Treasurers Memo of May 8, 2020.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**MILLENNIUM STRATEGIES GRANT WRITING AGREEMENT**

Mayor stated they are a grant providing service with the Town and Village of Monroe and the Village of Harriman, which expires on May 31, 2020. Would the Board like to contract for another year at the same \$9,000.00 rate? This will take us through to May 31, 2021.

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**MOTION** was made by Trustee Daly to approve the Millennium Strategies Grant Writing Agreement.

**SECOND** was made by Trustee Chichester

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**LEGAL NOTICES BUDGET AND TAX COLLECTION**

Mayor read:

Legal Notice, Village Enforcement to Marie Coimbra, Village Treasurer

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 \$1,910,994.00 or the following purpose:

FOR THE CURRENT BUDGET:	\$1,910,994.00
DELINQUENT WATER:	\$8,488.43
DELINQUENT MAINTENANCE:	\$32,674.11

YOU ARE FURTHER DIRECTED to receive and collect such sums without additional charge between the 1<sup>st</sup> day of June and the 1<sup>st</sup> 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 centum for the first month or fraction thereof and one per centum for each month or fraction thereof thereafter until paid.

YOUR ARE FURTHER DIRECTED to file the tax roll and warrant in your office on or before the Thirty-first of October 2020 and to deliver to the Orange County Commissioner of Finance in Goshen the taxes remaining due and unpaid; showing the person or person to whom the parcel is assessed an showing as to each parcel the amount of tax unpaid.

Mayor read: NOTICE OF COLLECTION OF TAXES

Pursuant to section 14-28 of the Real Property Tax Law of the State of New York, the warrant and Tax Roll for the collection of the Village Taxes of the Village of Harriman, New York, has been filed with the Village Clerk for the fiscal year June 1, 2020 to May 31, 2021. Taxes will be received at the Village Temporary Office, 12 Church Street, Harriman, New York daily from June 1, 2020 to June 30, 2020 except Saturdays, Sundays, and Legal Holidays without penalty.

Beginning July 1, 2020 5% will be added for the month of July and 1% for each month thereafter until paid.

**PROBATION – OFFICER LUDEWIG**

Mayor stated we have received a memo from the Chief of Police stating that as of March 11, 2020 Officer Ludewig has completed his six-month probation with the Police Department. Officer Ludewig has shown the work ethic and professionalism I require in a Village of Harriman Police Officer. He complete his on the job training with Sergeant Basilicata with no issues. He also has not been counseled or disciplined since his hiring. I would highly recommend Officer Ludewig be removed from probation.

**MOTION** was made by Trustee Daly to authorize Officer Ludewig’s six-month probation completion.

**SECOND** was made by Trustee Farrell

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**NAY:**  
NONE

**ATTORNEY REPORT**

Nothing at this time



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**PUBLIC COMMENT**

Jim Coleman – 4 Maple – I was wondering with the new proposals you brought up regarding the asbestos air monitoring is there any other developments on the demolition of 2 Maple Avenue as far as the permit for the company who was granted the job?

Mayor replied no, this just has to do with the air monitoring. It has nothing to do with the demolition contractor. They're still waiting on the Department of Labor.

Mr. Coleman responded so there still has been no progress on getting there permit to initiate the job.

Mayor replied no, that is what is holding it up at this point.

Mr. Coleman asked I see the Heritage Trail is moving along is that still anticipated to be completed by middle or third week of May?

Mayor replied that is what the County is telling us.

Mr. Coleman responded I saw the progress today and it is looking good.

Mayor replied hopefully it will be completed by June 1<sup>st</sup>, the worst-case scenario. There is not a lot more to go so hopefully they can get it all done.

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

**SECOND** was made by Trustee Daly

**AYE:** Trustee Farrell  
Trustee Daly  
Trustee Medina  
Trustee Chichester

**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 Deputy Mayor Farrell to adjourn Executive Session and return to Regular Meeting.

**SECOND** was made by Trustee Daly

**ALL IN FAVOR**

**MOTION** was made by Trustee Medina to adjourn Regular meeting at 8:30pm.

**SECOND** was made by Trustee Chichester

**ALL IN FAVOR**

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

Jane Leake, Village Clerk