



Village of Harriman

1 Church Street
Harriman, New York 10926
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VILLAGE BOARD MEETING OCTOBER 13, 2020

6:30PM – AUDIT BILLS
7:00PM – EXECUTIVE SESSION
7:25PM – PUBLIC HEARING LL#10 - 2020
7:30PM - REGULAR MEETING

AGENDA

- 1. ROLL CALL – PLEDGE OF ALLEGIANCE**
- 2. AUDITORS REPORT**
- 3. APPROVAL OF MINUTES – September 8, 2020**
- 4. INFORMATIONAL ITEMS**
- 5. DEPARTMENT REPORTS**
- 6. RESIGNATION LETTER - Court**
- 7. LL# 10 - 2020**
- 8. RECORD & RETENTION POLICY REVISION**
- 9. REQUEST WATER ACCOUNTS a) 449 b) 450 c) 256**
- 10. SET PUBLIC HEARING – Regarding Village Justice**
- 11. REQUEST POLICE CHIEF – Leadership Summit**
- 12. HALLOWEEN CURFEW**
- 13. COURT – Analysis of Checking Accounts**
- 14. BUDGET ADJUSTMENTS**
- 15. KEARNEY AVENUE OFFER OF DEDICATION**
- 16. ATTORNEY COMMENT**
- 17. PUBLIC COMMENT**
- 18. MOTION TO ENTER EXECUTIVE SESSION - ATTORNEY CLIENT PRIVILEGE**

UPCOMING MEETING DATES:

ZONING BOARD OF APPEALS:	November 04, 2020
VILLAGE BOARD MEETING:	November 10, 2020
PLANNING BOARD MEETING:	November 16, 2020

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6:45pm – Audit Bills
7:00pm – Executive Session
7:25pm – Public Hearing LL #10
7:30pm – Regular Meeting

EXECUTIVE SESSION

Mayor Welle opened the meeting at 7:00pm.

Present: Mayor Welle, Deputy Mayor Medina, Trustees Daly, Schneider and Chichester, Justin Wood from Nugent & Haeussler.

MOTION was made by Trustee Chichester to Enter into Executive Session with Justin Wood regarding the Annual Audit & Review Financial Report.

SECOND was made by Deputy Mayor Medina
ALL IN FAVOR

MOTION was made by Trustee Daly to adjourn Executive Session at 7:20pm.

SECOND was made by Trustee Schneider
ALL IN FAVOR

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 # 10 of 2020 amending and revising sections 106-11 and 106-12 A of Chapter 106 the Code of the Village of Harriman relating to the Village record retention and disposition policies and procedures, pursuant to Sections 10 and 20 of the Municipal Home Rule Law, at Harriman Village Hall, 12 Church Street, Harriman, New York on October 13, 2020 at 7:20 p.m. or as soon thereafter as the matter may be heard.

This local law will amend Village Code Chapter 132, Article II, §§ 106-11 and 106-12 A by adopting Records Retention and Disposition Schedule LGS-1 in place of Schedule MU-1 in order to comply with the new mandate of the New York State Department of Education. Section 106-12 B applies to the new Schedule and therefore is not being amended.

A copy of the proposed local law 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 did we receive any written comments?

Clerk replied no.

No Public Comment.

MOTION was made by Trustee Daly to close the Public Hearing.

SECOND was made by Trustee Schneider
ALL IN FAVOR

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REGULAR MEETING

ROLL CALL

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

ABSENT Police Chief, Dan Henderson

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

Attorney Dave Darwin arrived.

AUDITORS REPORT

Justin Wood of Nugent & Haeussler stated this year the Village opted to do a Compilation Report which is a little different than an Audit. Basically, we review the Financial Information of the Village for any obvious raw material errors. We did not find any. I thank the Mayor and the Board for having me. I thank the Mayor and his staff for doing excellent work and providing me the information I needed to complete the Financial Statement. I did go over in detail in the Executive Session the Financial strength of the Village which is very strong. Very well-funded reserves. Efficient Fund Balance and it had a very efficient budget operating between 5 and 10% is what we usually look for and the Village was at an 8%. Which we say looks like excellent management and really anything other than that there is no findings of any kind to report. We also do the Justice Court Report and I have presented the results of that audit to the Board as well.

PRESENTATION

Mayor presented a plaque to CV Associates which he read:

Whereas, one of the privileges of the Office of the Mayor is to recognize and honor local business accomplishments; and whereas today it is my pleasure to join with our community in honoring CV Associates on their 25th Anniversary. Whereas, CV Associates began in October 1995 in the Village of Harriman; and Whereas, in the years that followed, the business grew and relocated two times, remaining in the Village of Harriman. Whereas, today, the business has approximately 50 employees and has contracts on several State and Municipal Projects; Now, therefore, the Village of Harriman Board of Trustees and I join in offering our sincere Congratulations on your celebration of 25 years in business and on a personal note I wish you another 25.

APPROVAL OF MINUTES

Mayor asked if there are any changes or corrections to the minutes of September 8, 2020 Regular Board Meeting?

MOTION was made by Trustee Chichester to accept the minutes of September 8, 2020 Regular Board Meeting.

SECOND was made by Deputy Mayor Medina

AYE: Trustee Chichester	NAY:
Trustee Daly	NONE
Deputy Medina	
Trustee Schneider	

INFORMATIONAL ITEMS

This evening's bills were audited:

Trust & Agency	\$	372.00
General Fund	\$	113,374.79
Water Fund	\$	115,931.93
Capital Building Fund	\$	1,735.00

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Upcoming Meeting Dates:

Zoning Board of Appeals – November 4, 2020

Village Board – November 10, 2020

Planning Board – November 16, 2020

- We received notification last week from the County Clerk's Office that it was Organ Donor week in the State. Anybody at any time can sign up if they wish to be an organ donor, you just will have to contact the County Clerk's Office.
- Community Development Block Grant, which I am a member of the Committee. As of this year they will no longer be doing the Housing Rehabilitation Program. This is due to the fact the \$50,000, which they have to use for it costs about \$250,000 to implement and there is very few homes that qualify anymore because of all the new guidelines and restrictions. If they go in to do a minor insulation job and they find lead or asbestos, in order to do the insulation everything else has to be done and in lots of cases the houses aren't worth it. There are some programs still available out there, but through the Community Development Housing Rehabilitation Program will no longer be part of it until things change.
- Millennium Grants – they are currently working on a few water issues. They are working on a live scan funding and a generator for the Police Department. Community wise, besides the Town of Monroe and Village of Monroe they are working on some grants for the Ambulance Corp.
- Leaf pick up has commenced. We will be picking up leaves through December 4, 2020 weather permitting. Leaves must be at the edge of your property, not in the street or on sidewalks and the Village does not pick up bag leaves or leaves mixed with brush.
- Town of Monroe shredding and electronic recycling will be on Saturday, October 31, 2020 from 9-12pm at the Highway Department on Mine Road, opposite the bus garage.
- We received notice from New York State Department of Transportation that the CHIPS reimbursement, which is the Highway Work, we get money for from the State was reduced by 20%. They left room in their Statement on it that it is being currently withheld, but I wouldn't count on getting the money.
- Village Office remains closed to the public. It is staffed Monday – Friday from 8-3pm. They will be answering the telephone and responding to emails. If anyone needs anything from the Village Hall, you can email, or call and they are taking care of business. The Court is staffed sporadically, and they also can be reached by telephone or email.
- Brush Pick-up once a week – place brush at the edge of your property not in the road or sidewalk. We request the butt end be out and no more than 4" in diameter.
- Water Customers can get email alerts. Visit the villageofharriman.org website and there is a form there to fill out if you would like to receive the email alerts on water billing, etc.
- Regarding 1 Church Street the former Village Hall Property - when the building was torn down they hit an abandon unknown oil tank. That spill has been cleared. We got the all clear from the Department of Environmental Conservation on September 9, 2020. It is closed.
- Section 132-15 of the Village Code states there will be no on street parking from 11pm – 6am commencing November 1st. No overnight parking until April 1st.

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- Last week I attended the Orange County Association of Towns Villages & Cities meeting. The County Executive discussed his budget proposal for the year. Obvious significant downturn in revenues, but with the growth and increase assessments he is not anticipating a very large increase. He is anticipating keeping within the 2% tax cap.
- On Thursday, October 15, 2020, between 10:30am and 11am Indian Point will be testing all of their sirens, so don't be surprised if you hear one going off. There is one located by OCBMW which can be heard in the area.

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

\$ 35321.00	Building Permits
\$ 1050.00	Violation Searches
\$ 130.00	Periodic Inspection Fee
\$ 36646.00	TOTAL

Mayor stated thank you John.

RESIGNATION LETTER – COURT

Mayor read the resignation letter from the Court Clerk.

MOTION was made by Trustee Daly to accept Lyn Hall, Court Clerk's resignation letter.

SECOND was made by Trustee Schneider

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

Mayor read the Village Justice's resignation letter.

MOTION was made by Trustee Chichester to accept Christine Wienberg, Village Justice's resignation effective November 10, 2020.

SECOND was made by Deputy Mayor Medina

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

LOCAL LAW #10 – 2020

Mayor stated the public hearing was held this evening with no written or verbal comments.

MOTION was made by Trustee Chichester to accept Local Law #10.

SECOND was made by Trustee Daly

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

RECORD & RETENTION POLICY REVISION

Mayor stated since we adopted the Local Law changing it, we have to change our Record & Retention Destruction Policy and remove MU1 and insert LGS-1.

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MOTION was made by Trustee Schneider to approve amending the Village of Harriman's Record & Retention Destruction Policy.

SECOND was made by Deputy Mayor Medina

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

REQUEST WATER ACCOUNTS

Accounts 449 & 450 - Penalties Waiver Request

MOTION was made by Trustee Schneider to approve the penalty waivers on Accounts 449 & 450.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Deputy Medina
Trustee Schneider
Trustee Daly

NAY:
NONE

Account 256 – Mayor stated we had given them a payment plan, which they would like to extend to November 5, 2020.

MOTION was made by Trustee Daly to approve extending Account 256's payment plan.

SECOND was made by Trustee Schneider.

AYE: Trustee Chichester
Deputy Mayor Medina
Trustee Schneider
Trustee Daly

NAY:
NONE

SET PUBLIC HEARING

Mayor stated regarding the Village Justice Position, which is vacated as of November 10, 2020 we need to set a Public Hearing for November 10th at 7:25pm for a Local Law to abolish one Village Justice position.

MOTION was made by Deputy Mayor Medina to approve setting a Public Hearing for Local Law #11 of 2020 on November 10 at 7:25pm to abolish one Village Justice position.

SECOND was made by Trustee Chichester

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

REQUEST POLICE CHIEF

Mayor stated request from Police Chief to attend the NYS Leadership Summit, which will cost \$379.78 plus mileage and meals. This has been budgeted in his budget.

MOTION was made by Trustee Chichester to approve the Police Chief to attend the NYS Leadership Summit of a cost of \$379.78 plus mileage and meals.

SECOND was made by Trustee Daly

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

HALLOWEEN CURFEW

Mayor stated Section 92 of the Village Code states under Section 3, hours of restrictive activity. October 30th and 31st from 8pm – 6am and ending on Sunday, November 1st at 6am. Between the hours of 8pm –

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6am no minor unless accompanied by an adult with the exception of work or school activities will not be allowed out.

Trustee Schneider asked is the State allowing that this year?

Mayor replied they are not disallowing it as of now.

COURT – Analysis of Checking Accounts

Mayor stated Village of Harriman Justice Court Analysis of the checking accounts has been done and verified by the Village Treasurer. It needs to be accepted by the Village Board so it can be sent to the Chief Internal Auditor of the Unified Court System.

MOTION was made by Trustee Chichester to approve the Analysis of the Justice Court’s checking account.

SECOND was made by Deputy Mayor Medina

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

BUDGET ADJUSTMENTS

Mayor stated we have budget adjustments from the Village Treasurer having to do with 2 Maple Avenue Demo and grant money for the Tow Behind Generator.

MOTION was made by Trustee Chichester to approve the Budget Adjustments outlined by the Treasurer in her memo dated October 7, 2020.

SECOND was made by Trustee Daly

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

KEARNEY AVENUE OFFER OF DEDICATION

Mayor asked Attorney Darwin if all the paperwork was in order?

Attorney Darwin replied except for Section, Block and Lot. I can pen that in after you sign the documents. Other than that, everything is done. You have the Title Insurance for the Kearney Avenue and Maple Avenue Parcel that was dedicated a couple of years ago.

Mayor asked is that part of this packet?

Attorney Darwin replied I don’t know if it is a part of the package you have, but I did get copies of the Title Insurance Policies that should have been delivered to you with the rest of the documents.

Mayor stated I don’t recall getting any Title Insurance Policies.

Attorney Darwin replied the Title Insurance should have been there. They were emailed to me. So, you can pass a Resolution accepting the Offer of Dedication subject to receiving the Title Insurance Policy for Kearney and Maple Avenues.

Mayor read:

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF HARRIMAN ACCEPTING AN IRREVOCABLE OFFER OF DEDICATION FOR A PORTION OF A STREET KNOWN AS KEARNEY AVENUE IN THE VILLAGE OF HARRIMAN

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WHEREAS, by virtue of filing with the Orange County Clerk a subdivision map entitled "Realty Subdivision Plan – TAMR Ventures, LLC" as last revised, and filed with the Orange County Clerk on February 2, 2018 as Filed Map no. 22-18, an irrevocable offer of dedication was made by TAMR Ventures, LLC, to the Village of Harriman for a proposed turn-around to become part of a Village Street known as Kearney Avenue; and

WHEREAS, an irrevocable offer of dedication dated October 2, 2020 was delivered by TAMR Ventures, LLC to the Village of Harriman for said proposed portion of the Village Street, together with a deed to the property for the proposed portion of the Village Street known as Kearney Avenue, conveying all of the TAMR Ventures, LLC's right title and interest in said proposed portion of the Village Street to the Village of Harriman; and

WHEREAS, the Village Board has determined that it is in the public interest to accept said offer of dedication and deed; now, therefore, it is hereby

RESOLVED, that the Village Board of the Village of Harriman hereby accepts the irrevocable offer of dedication for the said portion of Kearney Avenue, together with the deed thereto as more fully described in said deed, the offer of dedication and the aforesaid subdivision map; and it is further RESOLVED, that the Mayor is authorized to sign and/or record with the County Clerk any and all documents necessary to implement this Resolution. Condition on the Village receiving the Title Insurance Policies for this portion and the Maple Avenue portion which were previously accepted.

MOTION was made by Trustee Chichester to approve the Kearney Avenue Resolution on condition of the Village receiving the Title Insurance Policies for this portion and the Maple Avenue portion which was previously accepted.

SECOND was made by Deputy Mayor Medina

AYE: Trustee Chichester
Trustee Daly
Deputy Mayor Medina
Trustee Schneider

NAY:
NONE

ATTORNEY REPORT

Mayor asked have you received any further information from either Altice or the Auditor on the fees they were going back and forth on?

Attorney Darwin replied I haven't heard nothing from either side. On the 4 South Main Street property, that is in foreclosure. There was a Foreclosure Settlement Conference, which I was allowed to participate in. Conference has been pushed over to November 6, 2020 because the owner wasn't present. The Bank Attorney was present for the 1st lien not the 2nd lien, but I did contact Mr. McCann who is the Attorney for the owner in the pending contract. I anticipate he will attend the next Settlement Conference and hopefully the 2nd lien holder will attend. I let the referee know what the Village's interest in the property was and the efforts that it has made to acquire the property and that it is prepared to take to acquire the property. So we will see what happens at the next conference.

Mayor stated very good and that is prior to the next meeting, so maybe we will have some further news at the next meeting.

PUBLIC COMMENT –

Mr. Kelly – Oxford – on the future of the Village of Harriman, have we been working on where we are going to be? I don't know how long you are going to be in this building. That building is gone now. If they decide to sell this, do we have a plan?

Mayor Welle replied the 1 Church Street property we were on hold for several months due to the oil spill. Fortunately, we got the all clear on it. We actually need the property next door to put up a different configuration building then the original, which will be cheaper to build because the prices came in crazy

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the first time. We are moving forward. The Village has looked at other options that appears to be the best option.

Mr. Kelly stated so the option is to take the present old land and rebuild on that land now that the oil tank is out and the person who has that one house there to demolish that and build on that.

Mayor replied that the oil spill has been cleared up and yes to use that portion. Unfortunately, we've hit numerous roadblocks.

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

SECOND was made by Trustee Daly

AYE: Trustee Chichester

Trustee Daly

Deputy Mayor 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 Schneider to adjourn Executive Session and return to Regular Meeting.

SECOND was made by Trustee Daly

ALL IN FAVOR

MOTION was made by Deputy Mayor Medina to adjourn Regular meeting at 9:10pm.

SECOND was made by Trustee Chichester

ALL IN FAVOR

Respectfully submitted by: _____

Jane Leake, Village Clerk