

**VILLAGE OF HARRIMAN, NEW YORK
VILLAGE BOARD MEETING
March 11, 2014**

6:45 P.M. – AUDIT OF MONTHLY BILLS

7:15 P.M. – BUDGET WORKSHOP – BUILDING DEPT.

7:30 P.M. – REGULAR MEETING

ROLL CALL:

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Christine Sacher, Building Inspector Ronald Walker, Police Chief Dan Henderson, Village Clerk Kelly Kearney, and Village Attorney Ben Ostrer of Ostrer & Associates. Also attending this evening is Orange County Legislator Jim DiSalvo

Trustee Lawrence Mosca and DPW Superintendent John Karl are absent and excused.

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

APPROVAL OF MINUTES:

Mayor Welle asked if there were any changes or additions to the minutes of the February 25, 2014 Board Meeting or the Budget Meeting on March 4, 2014. There being none, the minutes were accepted as written.

INFORMATIONAL ITEMS:

- There will be one addition to add to the agenda this evening:
#7D Monroe Woodbury Little League

- Upcoming meeting dates:
Village Budget Meetings: March 13 & March 19, 2014
Planning Board Meeting: March 17, 2014
Village Board Meeting: March 25, 2014
Village Re-Organizational Meeting: April 1, 2014
Zoning Board of Appeals Meeting: April 2, 2014

- Bills were audited:
\$ 68,433.54 General Fund
\$ 35,295.97 Water Fund
\$ 6,733.32 Trust & Agency

- Mayor Welle stated that unfortunately the snow is probably not done yet this year we have had more than sufficient, ask any of the DPW employees, that have done a great job this winter. But, Mayor Welle also stated that in accordance with Village Codes:
Code 132-15 No overnight parking in the Village from November 1st thru April 1st from 11pm – 6am.
Code 132-27.1 No parking at all on Village streets in snow events until snow has been cleaned off the roads.
And with that we ask the residents insure that their trash cans are removed from the street, they should not be out there in the first place and it has been creating a problem.

- Mayor Welle stated that the Planning Board and Zoning Board of Appeals still have alternate positions opened on the Boards. Anyone interested should submit a letter of intent to the Village Clerk.

- Mayor Welle stated the Village will be celebrating its Centennial on October 11, 2014, as the Committee gets more information together we will be reporting it to you.

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INFORMATIONAL ITEMS: (Cont'd)

- Mayor Welle stated the Orange County Municipal Planning Federation is announced an intern opportunity one of them this summer to work in conjunction with the Planning Dept. of Orange County. Candidates must be a resident of Orange County and pursuing a full time degree in geography, urban regional planning etc. Anyone interested we have this information in the Village hall; the application must be completed by April 4th.
- Mayor Welle stated Clean Sweep will be Saturday April 26 8 am to noon it will commence at St. Anastasia and be on 17 M and surrounding streets as it has been in the past. As we receive more information it will be provided.
- Mayor Welle stated that effective today the Monroe Free Library will be relocating to 1465 Orange Turnpike Monroe, their phone number; fax number, webpage and email addresses will remain the same.
- Mayor Welle stated last week Standard and Poor's came out with their semi-annual ratings and it raised the Village's rating up a notch from Double A minus to Double A which puts us in very good standing and they are saying the outlook for the Village is stable. Mayor Welle stated he was very happy to see that.

Mayor Welle stated at this time he would like to move Agenda item #14 up

RESIGNATION LETTTER – ZBA:

Mayor Welles stated he received a letter of resignation from Zoning Board of Appeal member Ed Ford, he has lived in the community for 31 years and he is moving so we need a Motion to accept his letter of resignation.

MOTION was made by Trustee Chichester to accept his letter of resignation reluctantly.

SECOND was made by Trustee Sacher.

Trustee Sacher stated thank you for your service.

Trustee Chichester stated yes thank you.

Trustee Shuart stated we go way back I was on that Board with you, that is a lot of years thank you we appreciate it

Ed Ford stated thank you

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

At this time Mayor Welle invited Ed Ford to come up to the front, he presented Ed with a plaque and the Mayor Read

Whereas, Ed Ford has served the Village of Harriman as a member of the Zoning Board of Appeals: and
Whereas, during his tenure, Ed devoted his time and interest to matters affecting all property owners in Harriman: and

Whereas, Ed served as a member of the Zoning Board of Appeals for over fifteen years: and

Whereas, Ed has demonstrated in many ways his deep and genuine love for our community:

Now, therefore the Village of Harriman Board of Trustees and Chairperson and Members of the Zoning Board of Appeals express our sincere appreciation to Ed for his years of community service. Signed Laurine Miller ZBA Chairperson and Stephen H. Welle Mayor. The Mayor then said and I want to thank you Ed. Ed Ford said thank you everyone.

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DEPARTMENT REPORTS:

DPW – see attached report. In the month of February they dealt with 10 snow events

Police Department – see attached report. Police received \$30.00 in funds

Building Department – see attached report.

\$ 65.00	building permits
\$ 200.00	Municipals
\$ 50.00	Certificate of Compliance

WATER ACCOUNT # 3368:

Mayor Welle stated is anyone here for that account, a gentleman in the audience stated that yes I am here regarding that water account he stated that he received his third quarter water bill it was a \$900.00 bill, looking back historically I have lived in the house for 5 years now and it was more than doubled any water bill I have ever received, I called the Village Office and spoke with Jane who informed me I probably had a leak and that I needed to check it out so I brought in a General Contractor and a Plumbing Contractor who both saw that my 5 year home was still tight no leaks, no running toilets etc. So I then went back to the Office and they said they would send out DPW Supt John Karl to check the meter. John Karl came and looked at the meter and had to leave after about 2 to 3 minutes to go to answer a volunteer fire call, and within a day or two I received a letter stating that the \$900.00 stands and you have to pay it. I was like WOW; I was a little surprised and taken back. I still don't think it is right I think something is wrong, it makes no sense to me at all, I have never had a bill even approaching that, there has to be something wrong. The Village came back and said it is what it is, not knowing where to go at this point you can fight City Hall, now I get a subsequent bill for \$900.00 with a late fee of \$90.00 in addition to the \$900.00 talk about adding salt to the wound, because of the fact that I brought in two contractors and John Karl, I really thought the late fee was not necessary. When I saw the bill for \$900.00 plus the \$90.00 I sent in the check for the \$900.00 and crossed out the \$90.00 and said I do not agree. The Village cashed the check, now I received the 4th quarter bill for \$160.00 and the \$90.00 late fee, ok so again I cross off the \$90.00 and send in the \$160.00 hoping that we will be able to work this out, so then I get the check returned back to me saying we do not accept partial payments, I said I beg to differ you did accept a partial payment a month ago when I sent in a check for \$900.00. So I said I am just not agreeing with the late fee, then I receive a letter back that the Board has decided you do owe the late fee and I said based on what, this is when I asked to meet with the Board and you Mr. Mayor. I have been living in Harriman for five years and I pay my bills on time all the time. I think this bill is excessive I still think to this day there is no way my bill could be \$900.00 prior quarters have not even been close I know this quarter you have sprinklers and such but when the bill at any given time is more than half. Trustee Sacher asked so the last bill you just received is that what your bill usually is? Water Customer #3368 stated the \$160.00 he stated well it's different every quarter but about that yes Trustee Sacher stated around the same. He stated yes Trustee Sacher stated so if the meter was bad it would have been bad for that quarter also, I would think. Mayor Welle stated the reason John Karl was sent out was to verify that the meter inside your house was the same as the remote outside your house. Inside your house is the same meter reading as the remote we use the remote so that we do not have to get access to everyone home which would be a nightmare with people not being home. He verified that the meter inside your house matched the outside remote in terms of the reading; we are not going to verify that you have any leaks or anything like that. His sole purpose of being there was to verify the inside meter to the remote. You were in one of your correspondences given the opportunity to have your meter tested to verify whether or not the meter is accurate, the way the code reads that if the meter is within 3 percent according to all the American water works association and everything else it is a good meter, you would then be responsible for the test of the meter also, if the meter was proven to be defective then we will replace the meter and look at an adjusted

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WATER ACCOUNT # 3368: (Cont'd)

bill. The only thing we have to go by for your water consumption is what goes through the meter. This originally was not addressed by you until after the due date of the water bill. The Water customer stated that is not true, I disputed the water bill the moment I received it I drove down here. Mayor Welle stated as I recall, there is a lot of paper here let me go through, Mayor Welle stated I believe it was December 12, when you first sent your email to the Village Clerk disputing your bill which was due on November 30, 2013, the bill went out November, that is why ultimately the late fee is on there. I came right to Jane we faxed and I came here personally I do not recall an email. The Mayor stated I have an email here from you, you are Kevin McDonough correct. Kevin McDonough stated yes I am. Mayor Welle stated that is who the email is from. Mr. McDonough stated regardless I still think this is wrong it was inaccurate, you can't fight City Hall I paid the \$900.00. but the late fee. Trustee Sacher stated you can still have your meter tested, if you believe the meter was inaccurate have it tested. Mr. McDonough stated how do I do that. Mayor Welle stated contact the Village and we will make arrangements to have that meter removed and a temporary meter installed and it will be sent out to an independent lab to be tested. Mr. McDonough stated what will that cost. Mayor Welle stated I do not know off the top of my head, it's been a while since we have sent anything out. Mayor Welle stated if you want to call Village Hall we can call and find out what it would cost you. I would be lying if I gave you a figure tonight. The reason I am here is I paid the \$900.00 bill, I really think that late charge on top of it, is just not right. Trustee Shuart stated well sir what would you suggest we do if you were sitting up here how would you handle it? Mr. McDonough stated I would waive that late fee; it was a crazy bill, if you want to check out the meter than you can. Mr. McDonough stated to get your check back for \$160.00 because you didn't pay the late fee and letting me know we are going to be disconnecting you in April and that will be another \$100.00 charge to reconnect. Trustee Shuart stated so the root of the problem is the original bill, how would you suggest we meter you, we have lots of people with irrigation systems, you said a couple of times you can't fight City Hall and this really is not your City Hall, the point of the matter is you come here we listen and try to do the right thing, we get complaints all the time and find out their water softener is broken. Mr. McDonough stated I paid the bill, the reason I am here is I think it is in poor taste. Trustee Chichester stated you as a business man would understand, we run a business here too water here is our business we post fees on the bill we post times late fees if not by that time. We have bills to pay as well with that we have an input and an output for our cash flow as well. If we do that we interrupt that flow, I don't know what other choice as the Mayor and Deputy Mayor has been saying what do you suggest we do we have rules we have them posted it's not like no one has seen them before every water customer gets them in their bill, so I don't understand what we are supposed to do. I understand your problem and I believe something happened in your house because water went through your meter. It's a shame but if we do for one how do we not do for the next and stuff. I just don't know the answer to that. Mr. McDonough stated so that's it. Mayor Welle stated if you want to get the meter tested than call and we will get a cost estimate to send it out for you. Mr. McDonough stated thank you Mayor. Mayor Welle stated have a good evening.

ZONING CHANGE REQUEST – I-ZONE:

Mr. John Coladonato of Cushman & Wakefield stood up and came up front, he said hello and stated he had sent in the letter that the Board requested, he said if you have any questions or feedback. Mayor Welle stated if the Board was interested we would have to draw up a draft local law to move forward, we would have to draw up a draft of the zoning code as a local law. The Village attorney stated you would have to draft the local law amending the zoning to add the additional use, we would be required under 239M to send to the Orange County Planning Dept for comment, we would then have to also send to the Planning Board for comment once these comment periods expire, I don't believe it is continuous with any state land, where we would have to if it did we can notify the Dept of State or Palisades any land that is I-zoned other than the highway. We can just send a draft of the local law asking for any comments

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ZONING CHANGE REQUEST – I-ZONE: (Cont'd)

typically the County Planning Dept. has been saying it is for local determination. But, we must allow the Planning Board to comment and you would be free to adopt. You would be lead agency since it is a legislative action that only you can approve so unless you wanted to surrender lead agency status on the zone change since this is. We would have to type it once we determine how many acres were possibility affected by the zone change. It looks like it would be an unlisted action, we can once we have a draft local law, you just need to instruct either Marissa or I to draft it, there are some in John's proposal included a minimum room size in terms of square feet. I don't know what the model is for say national chains number of rooms, size of rooms I think we can assemble that information, I am sure there has been some community's that have adopted regulations we could borrow from. Ben stated we could have it ready for the next meeting, then we could start the process it does not commit you to anything you do not have to approve it ultimately you may get comments from the Planning Board I don't foresee them. It is possible the mere fact that you are drafting the local law does not commit you to adopting it. We will get the ball rolling so to speak Ben said.

MOTION was made by Trustee Chichester to move forward as outlined by the Village Attorney.
SECOND was made by Trustee Shuart.

Trustee Chichester stated John as was outlined in this letter, does this fit the national chain for the room size and such. Mr. Coladonato stated basically when you asked for some feedback I did a review of Orange, Dutchess all areas most of them have a minimum requirement of 300 sq. ft. per room that is not saying what we would be building or what we are looking to build. Most codes set that minimum so that you cannot build a whole bunch of 100 sq. ft. rooms where you run into what you were afraid of. Trustee Sacher stated you are absolutely right I do not want a James Hotel I want a national chain hotel, I do not want a dump and I never want it to be a dump. Mr. Coladonato stated every chain is different extended stay hotels they have to be bigger unit because they are two bedrooms with kitchens and stuff. Trustee Sacher stated I know you gave us that stuff. Trustee Sacher stated you gave us exactly what we asked for.

AYE: Trustee Chichester
Trustee Sacher
Trustee Shuart

NAY: -0-

Ben stated to John Coladonato I will send you a copy of the draft too before the next meeting. Mr. Coladonato stated if you need help with the national stuff I can get it for you. Ben stated we will send it to the Newburgh office.

FIELD REQUESTS:

Mayor stated we have a bunch of them here, we have limited fields. I will start with

MONROE FIRE DEPARTMENT

Mayor asked if someone would like to be the spokesperson, Matthew Imperial from the Mombasha Fire Company stated he would. Mayor Welle stated there is limited information here in terms of how much time you are looking for per week, I realize this is just starting and you are looking to fit in where you can. Matthew stated that is correct. Trustee Sacher stated do you play on weekends do you only play during the week, do you know. Mr. Imperial stated the way it is set up now is we are pretty flexible, I guess based on field availability but we tentatively requested Sunday mornings at 10 am typically it would be around 2 – 3 hours for a game. The entire league goes about 12 weeks so it would only consist of about 5 home games total excluding playoffs. It looks like it will run from the beginning of May until 1st week of August. So we are looking for about a total of 5 home games total. Trustee Sacher stated 5

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FIELD REQUESTS: (Cont'd)

MONROE FIRE DEPARTMENT (Cont'd)

games total and playoffs so how many total. Mr. Imperial stated about 6 or 7 total. Trustee Sacher stated on top of the 5. Mr. Imperial stated no 6 to 7 total. Mayor Welle stated one of the concerns with the VFW field and the field by Nepera is the VFW field with adults there is a good possibility the balls can be landing out in the street. Trustee Sacher stated even in some peoples yards, the fields by Nepera foul balls are likely to be landing on 17 or sitting on someone moving vehicle, that is just a concern I have because there is no netting and the back stop is not all that high the field by Nepera, it is a concern I have and I do not know how we go about it. Mr. Imperial stated I know the fields are required to have insurance so we will be covered under a rider on the Fire Company I don't know if that includes stuff like that or if it is just for personal injury. Mayor Welle stated these fields are really little league fields you know little league regulation. Trustee Shuart stated in fact the River Road field was really approved for little league basically it is very short. Mayor Welle stated at this time I am going to hold it we have the information and we want to see where we are tonight with all the requests. I am not saying yes or no right now. Trustee Sacher stated we want to let everyone speak. Mayor Welle stated this may be an insurance issue as well with the field by Nepera to see where we would be with something like that. But this point in time I am just going to go through the other requests and see what the Board would like to do. Mr. Imperial said thank you.

MONROE CRUSANDERS PURPLE U-12 SOFTBALL

Mayor stated yes sir, he stated his name was Kevin McGee I have a youth girls softball 12 year old team, we are looking to get a permission to use VFW on Sundays for a 4 hour block we would really like 12 -4 or 2-6, I know you have another applicant who is Patrick Ryan who has the same exact team as I being we know each other we play in the same league we have no problem sharing a time slot because when I play away he can play home and vice versa. We are just looking for a way to keep a 4 hour block, the reason we don't go before 12 is because teams travel and church and stuff on Sunday people don't want to play Sunday mornings. I have been involved in travel baseball, I also have a permit for Mary Harriman for three years with my son's team and I never had a problem. We think, I think VFW is the nicest softball field in the area. Trustee Sacher stated so does everyone, that is why we have 4 applicants wanting to use it. Kevin McGee stated we treat it like it was ours, we don't leave a mess, we don't treat it bad and I know Patty feels the same way. I know also Mike is here this evening and all of our girls are little league players. We are not working against little league we can work with little league also, in the past on other fields I have called up and said listen Mike I have a game he looks at his schedule permits and says I have this we can cover it and we work together. We just really like that 4 hour block and actually in that 4 hour block we can have two teams that share it. And we are looking from April to August. Trustee Shuart stated so in other words these girls you have now went through the little league system. Kevin McGee stated yes they all play little league and this is a travel team to play a little bit more competitive. So if we have 6 little league teams in that age group, I take probably the 2 best girls from each team and they go on to play on against other travel teams and its more we practice more but we still are little league we do not break away. We love little league. All our girls play little league, all our girls play district little league to try to promote, we are all Monroe, Harriman residents were not a select team looking for the three best girls from Newburgh, Cornwall or all over. They are all Monroe Harriman girls. Trustee Chichester stated do you roosters as of yet that would indicate to us how many Harriman residents you have on your teams. Kevin McGee stated I can get a rooster with that. Trustee Sacher stated is there a cost to be on your team? Kevin McGee stated yes because every travel game there is an umpire fee, there is uniforms, I have a permit for the high school auxiliary gym and weekends they charge you for custodians. Trustee Sacher so if you can't pay you can't play Kevin McGee stated no if you really can't pay the fee and really wanted to play in travel we are looking for the top 12 girls little league is rec and everyone plays. Travel is trying to get the girls to the next level of playing and if we had a girl that lived in Monroe or Harriman and really wanted to play and just can't play we can do a fundraiser to help her

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FIELD REQUESTS: (Cont'd)

MONROE CRUSANDERS PURPLE U-12 SOFTBALL: (Cont'd)

out. I can tell you in private what I charge a girl and then you can call Frozen Ropes and see what they charge, I charge a quarter of what they charge, the only thing I charge is what it costs us the umpires, the equipment and the uniforms. Trustee Chichester stated he appreciates what you are saying but the point we are trying to make is Harriman residents pay for these fields that's the basic cost of it. Harriman residents should get priority with these fields we want to see our Harriman residents using them; with all due respect to Monroe they have fields as well. These are Harriman paid fields and we want to make sure no Harriman resident gets shut out of using the fields they pay for. That is basically the point we are making here. Trustee Shuart asked what would the approximate cost of each player be? Kevin McGee stated for a player Trustee Shuart stated approximate Kevin McGee stated for my team it is \$275.00 for 10 league games, playoffs, they also play in 4 tournaments that are around here and we do one stay away tournament which we did a Super Bowl fundraiser to pay for that. So they play a lot of softball they play 32 games from April to August. You can google it we don't make any money we do it for fun. Trustee Sacher stated so can I ask what is the different between your two teams Patrick Ryan stated that they are both 11-12 year old girl teams Kevin's group is basically 7th grade girls and mine is 6th graders. Trustee Shuart stated you stated you play 32 games total. Kevin McGee and Patrick Ryan stated but not in Harriman. Kevin McGee stated we would only use the fields on Sundays from now until August and if I split it with Patty my team would only be there every other week, twice a month. Mayor Welle stated where are these other teams from? Kevin McGee stated New Windsor, New Paltz, Pat's team is in our league, Warwick and we are waiting to hear from teams in Washingtonville and Chester. Mayor Welle asked what other fields have you gotten already? Kevin McGee stated I haven't gotten any fields as of yet I put in for Saturdays and the JV field at the school and we also put in for a week night at one of the schools. Trustee Chichester stated that I can say that the other teams go to their municipalities and request the use of their fields as well. Kevin McGee stated yes Kevin McGee and Patrick Ryan stated the reason we requested Sundays is because the girls play little league during the week and on Saturdays. Trustee Shuart asked how many fields does the school have? Kevin McGee stated the school has 3 softball fields they have the JV, Varsity and Modified, and the people that put in for that are from U-10 U-18 teams. Trustee Shuart says Monroe Woodbury has 3 softball fields. Patrick Ryan stated there are more fields but they have a pitcher's mound so those are for baseball. Softball needs a skinned field. Mayor Welle asked in addition to the school did you put in for anywhere else for fields. Kevin McGee stated no there are 2 fields in Woodbury that we did not put in for. We are kinda hoping and praying you would give us some time at VFW. There fields are like River Road the ridge up in the Reservoir they kinda check you for residency and stuff. Trustee Sacher stated our park is for residents only so if you did get field time you must let everyone know that they cannot hang out in the park all day. I don't want people saying oh this is a great field they want to barbeque there and stuff they cannot do that. Mayor Welle it seems the request from the both of you are the same, I am going to request you submit to Village Hall a rooster with names and addresses. Trustee Chichester stated and insurance. Mayor stated I don't think that is necessary at this point I do not think that the Board will make any decisions on these this evening. Kevin McGee stated the only reason he didn't supply the insurance is because he has to pay for that so he would want to know if he was approved first. Mayor stated I understand everyone is saying the beginning of April I do not see that happening this year. Trustee Chichester when you apply to the schools do you tell them that people will be coming in from other municipalities and they do not have a problem with that. Kevin McGee stated no they do not. Mayor Welle stated that since they are both the same requests I am just going to request you supply the Village with the Roosters as soon as possible so we can look at all these at the same time. And before I go on to little league I want to go back to the Fire Dept. for a minute Matt did you ask for permission at any other fields Matt replied no not yet we are working on that. We plan on putting in a request at Smith Clove as well.

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FIELD REQUESTS: (Cont'd)

MONROE WOODBURY 12 U SOFTBALL:

Mayor Welle stated that Michael Chiarito President of the Monroe Woodbury Little League has requested the same as in the past the use of the fields, my assumption is that regarding the open to all applicants that no one is turned down, that is still the policy of the little league correct. Mike stated basically it is a rec program with upwards of 950 currently registered in baseball and softball. Trustee Sacher stated all currently in the Monroe Woodbury School district correct? Mike stated yes you need to provide documentation that you live and pay Monroe Woodbury property tax to participate in the program. We also try to accommodate everyone, and when we put in our field request it's typically a blank time and then we schedule accordingly. Once and if our request is approved we communicate with all the managers and coaches in our leagues and we go over the field closure policies and about respect and use in the facilities. We also tell them it is a first come first serve thing if they show up and someone else is practicing they need to find someone else to practice. We rent the pavilion and do a pick-up game to make the facilities are available to everyone. When we did have the discussion after the renovations this past season we did discuss the age demographics that was allowed to use the fields because of the carrying distances of the balls. So when John Karl who is not here this evening did not allow us to expand the fields parameter because we were unable to get insurance confirmation from little league that they would cover the balls that go into the road. We restricted the age groups to basically 12 and under which is little league parameter. We have the same problem with the Monroe field, the Mombasha field it is the same thing 180 to 200 foot fences 40 60 distances with the bases and mounds you basically just can't have the big kids there we all struggle for the same footprint fields because they are so limited and that's why you see so many applicants at the school because they are the only ones that have the big enough foot print and you see all the softball guys at Smith Cove because that one field is the only one that has the distance. Trustee Chichester stated oh that hasn't changed over the years. Mike stated and what happens in the fall is that pop warner football rules and we loss access to field 4 completely which is the 60 90 so in the Fall it is even more precious to find a large diamond to play on. So our typical request is weeknights we try to get on fields when schools out at say 3:30 - 4 o'clock to dark and on weekends we request whatever we can get generally our league plays on Saturday, not on Sundays. We only allow coaches to practice on the weekends if the fields are available. Mayor Welle stated and you have requested fields. Mike stated we are requesting baseball fields #1, #2 and #3 VFW. Mike continued on to talk about how if you team like ours did last season wins and as they call it bring homes the flag if you do not host a game locally for other teams to come in that are not Monroe then you are not allowed to host your home game if you make the championship, so that has become an issue. So we asked in the past if we could hold district games, and we would hit an in pass because in the past we had teams that were not Monroe people using the fields, I understand that I am a taxpayer too and when I want to go up to Mombasha and have a pick-up game with my kids we want to see the field open. I understand how everyone is fighting to get field time because this really is like another classroom your out on the field learning life lessons, you're staying healthy, it's about nutrition being physically fit, you're raising good citizens so I applaud everybody in the room. Trustee Chichester stated I say this every year Harriman is only one square mile and our Planning Board looks to take green area whenever possible. We wish that our Planning Boards and municipalities will do the same and expand and look for other areas but it doesn't seem to happen. Mike stated the Board knows me I have come in before and I am the first one to expand the olive branch where we can help contribute back in any shape or form regarding whether it is field improvements, bases, mounds, repairs we were over here right away to help out after the hurricane, we provide defibrillators, we talked about improvement facilities batting cages possibility for fundraising for a bridge between VFW field and once again. Trustee Sacher stated good luck with that. Mike stated just so you know we try to find ways for us to contribute and I do not come here only asking, we try to give back. If the need arises and something comes up please call me and we will come and do whatever to help. Mayor Welle stated do to the fact that the beginning of April is probably out of the question at

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FIELD REQUESTS: (Cont'd)

MONROE WOODBURY 12 U SOFTBALL: (Cont'd)

this point for anything. Mike stated I concur when and if I get that phone call we restrict very much handing out equipment to the managers so there is less likely the chance of them showing up on a field that is closed. We actually pushed off our fundraising and picture day to the first weekend of April with the anticipation that we are not getting on the fields until the second week if we are praying well third week if all is well and we understand the value of doing damage to a field getting on it too early in the season so we of course will follow the rules. Mayor Welle stated what he is going to do is to table this to the next meeting so that the Board can get more information and process everything that was presented here tonight. And to see how we can best accommodate and find out what insurance is and everything else to see what is covered and what is not covered. Mike stated I did attach a copy of our insurance to our request. Trustee Shuart stated in the past you have worked together with our teams correct. Mike started since I am also a travel coach and I see the same guys at all meetings and we are looking for the same thing, I am a community minded guy and would never say no to my neighbor for his daughter to have an opportunity to play when we can work something out with our schedules. I have physically moved games on fields because other fields were closed due to water, weather. We are dealing with Smith Clove, the Town of Monroe, Village of Monroe, Woodbury, the school district we really try to see that we all work together as a community. Trustee Sacher stated Matt (Monroe Fire Dept) will make contact with your insurance company to see if they will cover stay balls to see if you are even in the running for field time. Mayor Welle stated if your insurance company will not cover this we can't. Matt stated absolutely. Mike stated we looked into the netting and fencing, but it is very expensive. Mayor Welle stated we understand that. Trustee Sacher stated that way we know how many entities we are dealing with. Mike stated and the distances when we got out there with Mr. Karl hitting it with a transit as it actually goes out he limited us to the smaller footprint for that reason and we understood the reasons why. This is the reason for the needs of fields. The problem is after little league they pretty much age out of the park. Mike stated thank you for your time this evening my contact information is on the letter. The Board thanked him.

Mayor Welle stated at this time I am going to put this over to our next Village Board meeting March 25, 2014 at 7 pm so that, the Board can collect more information and go through all this information. If we have any other questions we will contact you with any other questions. Mayor Welle thanked them all for coming.

DPW REQUEST – SEMINAR:

Mayor Welle stated he received a request from DPW Supt John Karl for a seminar, he is requesting two employees to go to an equipment seminar on March the 21st.

MOTION was made by Trustee Shuart to approve the request as outlined by the Mayor.

SECOND was made by Trustee Sacher.

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart

WATER ACCOUNT #6065:

Mayor Welle stated that we need to authorize our Village Attorney to negotiate a settlement. The settlement is for \$360.50 with a scheduled turn off of Friday, March 14, 2014 at noon unless payment is received.

MOTION was made by Trustee Shuart to authorize the Village Attorney as outlined by the Mayor.

SECOND was made by Trustee Chichester.

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart

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BID AWARD – DPW:

Mayor Welle stated we put out a request for a proposal for Emergency Pump Contract Specialist, Emergency Well Drill Specialist, Emergency Mechanical Plumber, On-Call Electrician Primary and On-Call Electrician Secondary. Mayor Welle stated things must be good out there because we only received two quotes:

We received one from Quackenbush Water Systems for Emergency Pump Contract Specialist Regular Business Hour Rates 2 men with crane \$165.00 per hour Nights, Holidays and Weekends \$200.00 per hour 24 hour Max Response Time.

We received for Electrician a Primary and Secondary is Ace Electric Contracting with hours listed Monday thru Friday with the times and weekends, Saturdays Sundays and holidays depending on the time of day or middle of the night.

Mayor Welle stated we did not receive any other quotes, so at this point in time. I guess the Board should accept these for the positions that they submitted their quotes for and we can make this effective immediately.

MOTION was made by Trustee Chichester to award these bids as outlined by the Mayor.

SECOND was made by Trustee Shuart

Mayor asked Village Attorney Ostrer if he had any comments

Ben stated you always have the right to reject bids and go out and publish again, but you did publish and as long as the companies are reputable, if you want to check a reference on Ace that they can perform you can Quackenbush has worked with the Village before then you are good to go subject to award it contingent upon demonstrating they can perform. Mayor Welle stated the one thing we should do for Ace Electric is to make sure they are licensed in Orange County. Ben stated approve it subject to contract interview. Building Inspector Ron Walker stated he can check that tomorrow Mayor. Mayor Welle stated thank you.

Trustee Chichester stated he would add pending a contract interview to his **MOTION**

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart

DISASTER RECORDS RECOVERY POLICY:

Mayor Welle stated the Board has a copy of this, we need to adopt this.

MOTION was made by Trustee Chichester to adopt the Disaster Records Recovery Policy.

SECOND was made by Trustee Shuart.

Trustee Sacher asked who drew this up?

Mayor Welle stated this was drawn up by Real Time, myself, and consulting with Denise from Sedore.

Trustee Sacher asked Ben did you see this

Ben stated he is not weighing in on it that it is fine

Trustee Sacher said is there something that should be there

Ben stated no, Marissa actually looked at it and we communicated about it.

Trustee Sacher stated because I do not know anything about back-ups and what should be and where

Ben stated you need to establish a protocol so you know where to find it. Ben stated it is fine.

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart

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CAPITAL WATER RESERVE RESOLUTION:

Mayor Welle stated that at the January 28, Village Board meeting adopted subject to permissive referendum Resolution, pursuant to General Municipal Law Section 6-c authorizing the Treasurer to expend funds up to \$550,000. From the Capital Water Reserve account for Village Board approved bid for the New Water Storage Tank. The 30 day permissive referendum period was through March the 3, 2014 nothing was filed so we are good to go for the water storage tank.

BUDGET TRANSFER:

Mayor Welle stated we received a request from the Village Treasurer in a memo dated March 11, 2014 **MOTION** was made by Trustee Shuart to approve the budget transfer request as outlined by the Mayor. **SECOND** was made by Trustee Chichester.

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart

POLICE CHIEF REQUEST – SERGEANT EXAM:

Mayor Welle stated that he received a request from the Police Chief that we allow the promotional exam for sergeant for eligible employees to take the exam this year.

MOTION was made by Trustee Shuart to approve the request as outlined by the Mayor.

SECOND was made by Trustee Chichester.

AYE: Trustee Chichester **NAY:** -0-
Trustee Sacher
Trustee Shuart

Village Attorney stated while we are on this I still delinquent on a document request the Chief had made of me. I actually had to retrieve some files from Dave Hoovler, so I will have that to you shortly.

ATTORNEY REPORT:

- We appeared for the trial on the Quercia matter with the assistance of the Judge, the case was settled subject to Board approval for \$3800. Which is less than the cost of what the trial might have been nuisance damages we used to call it to resolve the case. I will discuss this further with you but the financial terms are certainly appropriate for the public session.
- Ben stated that he thinks Marissa finished the Records Retention Policy that has been transmitted back to the Mayor. Mayor Welle stated yes.
- Ben stated there were some materials circulating by with respect to the sewer district and I did read in the advanced sheets that there was a decision rendered with respect to the appeals, in the case that Mr. Gordon and Mr. Bacon had been handling the reinstated certain claims based upon the contract but they overruled the central issue on in which the petitioners have prevailed. So we really are back to square on in some respects. Dealing with the capacity of the sewer plant it's all the more significant particularly in the governance issues on the sewer district speaking in annexing land into the Village of Kiryas Joel which will not be in the Orange County District #1 and it may have something to do with why there was no objection when they were talking about annexing Camp Laguardia a year or two ago. Those are issues the Village may have to take up in terms of asserting ourselves as an involved through Orange County Sewer District #1 rather than just an interested agency on this annexation request that we all are reading.
- Ben stated he received but we also are all reading this article in the newspaper that they certainly did not get it from us the decision regarding the disciplinary action that took place with a police officer that is also something we will discuss in Executive Session because there are still appellant remedies he has so I don't think at least from our end is open for public discussion. The officer sharing information or speaking publically that is up to him.

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Trustee Sacher asked what is the Record Policy; I don't know what that is? Ben stated we have to have a systematic, a schedule of what records we will maintain, what records that should go on archival paper and be bound and records to be preserved as hard copies, other records that can be saved digitally what period of time we need to maintain them to before they are destroyed or disposed of. Trustee Sacher asked is this a State Policy. Ben stated it's a Record Retention Policy every municipality should have one, corporations should have them too. Trustee Sacher stated but who writes up the policy the State. Ben stated well a model law or regulations was given to Marissa and she reviewed it I believe she had some conversations with Kelly and the Mayor and made some changes to it and it was given back to the Mayor I guess it will be shared with the Board shortly.

Mayor Welle stated there are a couple of items for Executive Session, that we will need you to stay for.

PUBLIC COMMENT:

Jen Corillo – Harriman NY

She stated that she is just here because she knows that the Village is having its Centennial this year and she is very excited about it and as a resident and business owner we would love to participate if you would like to use them. We have property a big parking lot whatever you would like.

The Board stated that is very nice and thanked her.

Trustee Chichester stated you will be hearing from us.

Trustee Sacher stated that Trustee Chichester is the Chairman of the Committee.

Jen stated okay thank you let me know.

The Board stated again they really appreciate it and thanked her again.

The Mayor asked if there was any other Public Comments there being none.

The Mayor thanked everyone for coming and stated after a short recess the Board will go into Executive Session.

The Mayor thanked County Legislator Jim DiSalvo for coming this evening. The Board thanked him as well.

MOTION was made by Trustee Shuart to enter into Executive Session for litigation police and attorney/client privilege.

SECOND was made by Trustee Chichester.

ALL IN FAVOR.

At this time the Village Clerk was excused from the meeting. The following was given by Mayor Welle:

Executive Session was held with Village Attorney Ben Ostrer.

MOTION was made by Trustee Shuart to end Executive Session and return to the regular meeting.

SECOND was made by Trustee Chichester.

ALL IN FAVOR

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MOTION was made by Trustee Shuart to adopt the following Resolution:

Be it resolved, that the Village of Harriman, Board of Trustees adopts the March 5, 2014 Arbitration Award (PERB Case No. A2013-266) and terminates the employment of Philip Fagan as a police officer in the Village of Harriman effective March 5, 2014.

SECOND was made by Trustee Chichester
ALL IN FAVOR

MOTION was made by Trustee Chichester to authorize the Mayor to sign the engagement letter dated March 1, 2014 with Sedore & Company for auditing.

SECOND was made by Trustee Shuart

Trustee Shuart Aye
Trustee Chichester Aye
Trustee Sacher Abstain
Mayor Welle Aye

MOTION was made by Trustee Shuart to approve the additional \$5,000 for per year 2011 and for 2012 to Sedore & Company. As per their March 6, 2014 letter.

SECOND Trustee Chichester

Trustee Shuart Aye
Trustee Chichester Aye
Trustee Sacher Abstain
Mayor Welle Aye

A **MOTION** was made by Trustee Shuart and **SECONDED** by Trustee Chichester to adjourn the meeting at 9:00 pm.

ALL IN FAVOR.

Respectfully submitted by _____

Kelly Kearney, Village Clerk