

**VILLAGE OF HARRIMAN, NEW YORK  
VILLAGE BOARD MEETING  
March 27, 2013**

**7:30 P.M. – REGULAR MEETING**

**ROLL CALL:**

Mayor Stephen Welle, Deputy Mayor Edward Shuart Jr., Trustee G. Bruce Chichester, Trustee Christine Sacher, Village Clerk Kelly Kearney, and Village Attorney Marissa Tuohy of Ostrer & Hoovler  
Absent and excused was Trustee Lawrence Mosca.

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 March 12, 2013 Board Meeting or the Budget Workshop Meetings from March 5, 2013 and March 13, 2013. There being none, the minutes were accepted as written.

**INFORMATIONAL ITEMS:**

- Upcoming meeting
  - Planning Board Meeting – March 28, 2013
  - Zoning Board of Appeals Meeting – April 3, 2013
  - Village Board Meeting – April 9, 2013
  - Organization Meeting – April 1, 2013 at 7:30 PM
  
- Mayor Welle stated he spoke with Richard Mayfield who is taking over for Community Development. They will be setting up meetings shortly to meet with eligible residents who qualify for no interest loans for home improvements, elderly and minimal income people. Once we get dates on that the Mayor will reach out to some of the people. If anyone has any suggestions of anyone in the Village who can take advantage of this please let me know. Trustee Sacher asked is there an age or income requirement? Mayor Welle stated mainly income but I think what we have in the Village would fall to the elderly.
- Clean Sweep is Saturday, April 20 starting at 8 AM in St. Anastasia Church. All help would be appreciated.
- Mayor Welle announced Hydrants are being flushed this week.
- Mayor Welle stated John Lanc has submitted the plans to Orange County Dept. of Health for the new water storage tank. We are waiting for comments; we are hoping to be at a point in this in early May if not April to go out to bid for the construction of this new tank.
- Mayor Welle stated that Trustee Chichester and he meet in Woodbury with the Town and Village of Woodbury regarding the KJ pipeline and additional wells. This is ongoing as are the lawsuits; we have joined with Woodbury on this.
- Mayor Welle stated he would like to congratulate Trustee Shuart and Trustee Chichester and Judge Wienberg on getting re-elected last week.

**WITHDRAW MOTION MARCH 12, 2013 LOCAL LAW –**

Mayor Welle stated at the last Board meeting we thought we had to have a Public Hearing regarding the Town of Monroe Persons with Disabilities and Limited Income property tax reduction, upon further investigation we do not have to conduct a Public hearing as we automatically adopt the two Town's Tax Rolls. The Mayor then stated we need a Motion to authorize cancellation of the Public Hearing.

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**MOTION** was made by Trustee Shuart to authorize the cancellation of the Public Hearing as outlined by the Mayor.

**SECOND** was made by Chichester

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

**STOP DWI RESOLUTION –**

Mayor Welle stated the Chief of Police has requested we authorize him to sign the DWI contract with the County. This is something we do every year; this enables the Village to get reimbursed the DWI time of the patrolmen.

**MOTION** was made by Trustee Chichester to authorize Police Chief Culver to sign the DWI contract with the County as outlined by the Mayor.

**SECOND** was made by Trustee Sacher.

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

The Mayor informed the Village Clerk that the Chief will need a Certified Copy of the Resolution to send to the County.

**BUDGET DISCUSSION –**

Mayor Welle stated no Department Heads are here tonight to discuss any Budget changes.

**ATTORNEY REPORT:**

- Hampton Inn – They have had 8 months to respond, if they do not respond we can make a motion for a default judgment.
- Easements – we gave the properties to Hardenberger Abstracts to do a full Title search for the properties. These are the properties in Harriman Business Park Well 1 backing up to the TJMaxx building. We asked that they expedite the response. In order to put in the generator we need to have gas run and we do not have a copy of the deeds, so we have to do this to find out if we have an easement.
- Hold Harmless for the park – Working on

**MONROE WOODBURY LITTLE LEAGUE REQUEST-**

Michael Chiarito Vice-President Baseball and Howard Blumenau Vice President League Operations were here to propose to the Board the conversion of Mary Harriman field # 1 to a 50/70 skin field that will enable its use for children in multiple age ranges for both baseball and softball. Little league has added a new T ball program for children's age 4- 6 and a 50/70 transitional division for players ages 11-13 and these enhancements will allow us to accommodate these programs.

Mary Harriman Field #1, the infield needs to be scraped (remove grass and pitcher's mound from the infield) and have additional infield clay installed. MWLL will purchase and provide the infield clay. MWLL proposes to purchase an additional AED (automated external defibrillator) access to existing AED units is restrictive due to the distances between fields. All MWLL managers are AED and CPR certified. MWLL proposes to purchase and use a portable pitching mound and a 10 X 12 storage shed to be located on a mutually agreed location adjacent to the field. This mound allows for multiple age groups to utilize the same fields while maintaining the integrity of the field. The shed would be used to store the

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AED machine, umpire safety equipment and the pitching mound. MWLL would take full responsibility and maintenance of the shed and equipment. Trustee Sacher asked so you are going to supply the clay initially what happens in the years to come. Michael Chiarito stated in the past we have offered to supply payment to have clay brought in. Trustee Sacher said so you will help fund the cost of future clay. Mr. Chiarito stated in the past if you need something they call us and we can call the supplier and make payment to them and you can have it delivered or pick up by the Village trucks. We work it into our field maintenance in our budget. Mayor Welle asked how much does the mound weigh? Mr. Chiarito said the portable mound weighs 175lbs to 200 lbs. it would require at least 2 coaches to place it at each game. This was also the purpose of the shed so that we can prolong the life span of the mound and to protect it from theft it would be a lockable shed. Trustee Chichester asked how is your proposal going with the other municipalities and school system? Mr. Chiarito stated the proposal went very well with the ADA and the Principal it will improve the quality of their buildings. It is pending approval with the school board. There were issues regarding insurance and theft. But as always if there is theft or damage we would take full responsibility for maintenance service if something happens or something walks off we would definitely not hold the Village responsible because we understand it would be out of the Village's hands to maintain. Trustee Shuart wanted to thank them for their time coaching and all they do but wanted them to know the Village has control of those fields. Please don't take this the wrong way but from time to time we get from your leadership because you do make such an investment in the fields that they are the Little League fields. The Board has been told this. Mr. Chiarito stated there are changes being made in the organization as far as the way things are run. There is a new group of guys who have a better understanding and hopefully the Board will realize this, we will take nothing for granted. Trustee Shuart stated please do not take this the wrong way but we have been told also with all the money little league puts in why is it going to be given to someone else. The point is they are Village residents and we appreciate all you do but if someone else does want to use it we think it should be left open a little bit. If some kids want to come down and have a game of pick up. Trustee Sacher stated we have a lot of residents who get permits to use the Pavilion. Trustee Shuart stated they come and get a permit from us but we always leave two sections empty for the public use of the residents. Mr. Chiarito stated he understands what Trustee Shuart is saying and he understands he has created a discipline committee for the league so they can have a better handle of what people do. He understands when the fields are closed they are closed! Trustee Sacher and Trustee Shuart said you beat us to that, some people just do not understand that. Trustee Chichester stated he does not like when he hears we are not letting some kids play this year because we do not have enough fields. Mr. Chiarito stated they are allowing all kids to play he still is adding kids now. Everyone should have the opportunity to play. Mr. Chiarito stated if the Board approves this let him know what the Board expects from him if they require them to come down every 2 years to replenish the clay if they want a safety officer to come down to examine the fencing the base lines once a month. The league can supply paint stripping machines, he has spoken to DPW Supt. John Karl about this we would supply paint and other materials as needed. They are very open minded. Mr. Blumenau stated they could supply a tarp for the field and have volunteers put it out to help protect the field. Trustee Shuart asked how did you make out with the travel team that wanted some field time. Mr. Chiarito stated all the travel teams that were looking for field time, I am aware of all of them because I have a child that plays. We usually set up a schedule and post it. Trustee Shuart stated maybe you did not understand my question, there was a fellow who came here, Village Clerk stated Mr. Kirkpatrick. Trustee Shuart stated Mr. Kirkpatrick came here and requested field time, and at that time the little league said yes they would work with him and try to come to an agreement. Mr. Chiarito stated he was not given time because they were not MW residents. Trustee Sacher stated we asked him that question if they would be residents. Village Clerk stated she received a memo from Mr. Kirkpatrick stating 2 children on the team were Harriman residents. Mr. Chiarito stated he was unaware that he came

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here and was granted permission. Trustee Chichester and Trustee Shuart stated Mike Cordero stated he would work it out it wouldn't be a problem. Trustee Sacher stated we asked both of them can you work out a schedule together and they both said yes. Trustee Shuart said this is the problem if you do not communicate among each other. Mr. Chiarito stated he will look into this he was unaware. Village Clerk stated she gave Mr. Cordero Mr. Kirkpatrick's requested schedule and informed Mr. Cordero to get back to her with the schedule so we will be aware of who is on the field at what time and also that she needed contact information for them in case we needed to be in contact. Trustee Sacher stated she would also like to see Village residents enjoy these fields on Sundays also. Trustee Chichester stated that there needs to be a good form of communication between the Board and the little league. There seems to be a lot of communication between DPW Supt John Karl and Michael Cordero and they are not to make the decisions here. The Village Board should be making these decisions. Mr. Blumenau stated they understand the fields need to rest. DPW Supt John Karl tells them this and they understand that. Trustee Chichester stated we listen to DPW Supt John Karl when he says that but it needs to come before the Board. Trustee Sacher stated if we would give approval do we have the machinery to get rid of the grass to put in clay. Mr. Chiarito stated yes you do have the equipment. It is not difficult. He also stated he has not spoken to DPW Supt John Karl about this he came to the Board first. Trustee Chichester stated would this still require an aerator since you are taking out grass. Mr. Chiarito stated that DPW Supt John Karl has requested machinery up to \$8000.00 and we saw units that were less and we offered to pay for one and have it delivered and that was not good enough. Mr. Chiarito stated they will make themselves available to the Board and Mr. Blumenau stated the little league would even put up a bond if need be, to show that they will keep up with the up keep. The Board stated the little league has always been good with helping with the fields. Mayor Welle stated with the shed the old one would be too far away. Mr. Chiarito stated yes especially the fact of the AED it needs to be closer. Mayor Welle stated the signs what would you like with them. Mr. Chiarito stated we would like to recognize the girl's team for winning. Trustee Sacher stated we could not advertise anything it was part of the contract when the land was donated. Mr. Chiarito stated it is typically located behind the back stop up high so they cannot be removed. They could show the Board what they would look like. Trustee Sacher said that would be good if we could see what it looks like before. The Mayor stated the Board will read the information he brought this evening and discuss it with the DPW Supt. John Karl who is on vacation this week. The Board stated the Mayor is always here if you need to ask a question and you can always come before the Board. Mr. Chiarito and Mr. Blumenau stated they understand that now and hope that things will be better now that they know they can request to be on the agenda. They have tried to get in here for months and was unaware someone was here last month from MWLL when they were trying to get in here for 3 months, so finally they decided not to wait for someone else to make that decision they contacted the Village Hall. They said in the past they have tried to offer an aerator and it was not good enough. Trustee Sacher stated I am the DPW Liaison and was totally unaware of that. Mr. Blumenau stated we had come in with a check. Mr. Chiarito stated we had always been eager to supply the best facility and the best participation for the kids. That is what it is all about, the kids. The Mayor stated the Board will read over all the paperwork they supplied tonight and put it back on the agenda for April 9, 2013.

**PUBLIC COMMENT:**

There were no comments from the public

**MOTION** was made by Trustee Chichester to enter into Executive Session client/attorney privilege.

**SECOND** was made by Trustee Shuart.

**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 Marissa Tuohy Esq.

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**MOTION** was made by Trustee Shuart to end Executive Session and return to the regular meeting.  
**SECOND** was made by Trustee Sacher.  
**ALL IN FAVOR**

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

Respectfully submitted by \_\_\_\_\_  
Kelly Kearney, Village Clerk