

TOWN BOARD

The Town Board, Town of Highlands, held an executive session and meeting on Monday, February 27, 2012 at Town Hall, 254 Main Street, Highland Falls, NY at 6:30pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member
	June Gunza	----	Council Member
	Holly Gokey	----	Council Member
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

Council Member Edsall made a motion seconded by Council Member Stradley to close the executive session. Executive session closed at 7:00pm.

Regular meeting opened.

PUBLIC COMMENT

None.

MINUTES

Council Member Edsall made a motion seconded by Council Member Stradley to accept the minutes from the February 13, 2012 meeting.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

COMMUNICATIONS

Supervisor Livsey reviewed the correspondence he had recently received. This included, but was not limited to, the new Dial-A-Bus contract, the new Building Inspector hire, and a letter from Mike Kelly asking for the Town's permission to close Route 218 for a 5K/10K benefit race.

Supervisor Livsey would like to reply to Mr. Kelly with a letter stating that the Town has no problem with this, but the Town will not hold any liability.

Justin Rider said the primary liability will be with the State.

FINANCIAL REPORTS, REQUESTS & RESOLUTIONS

Re-valuation:

Jean Talman, the Town's Assessor, introduced Bob Hilbert from Appraisal Consultants.

Mr. Hilbert explained that Phase 1 and Phase 2 are complete and now they are moving into Phase 3 of the re-valuation. Mr. Hilbert said that on March 7, a full-disclosure statement will be mailed to all property owners. Mr. Hilbert said that the property owners will be able to set up appointments to discuss the preliminary assessments.

Building Inspector Salary Amendment:

Council Member Gunza made a motion seconded by Council Member Gokey to amend the Building Inspector's salary from \$51,250 to \$47,000.

**MOTION CARRIED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

Budget Transfers:

Council Member Stradley made a motion seconded by Council Member Edsall to approve the budget transfer requests.

**MOTION CARRIED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

Procurement Policy:

Supervisor Livsey said the Comptroller went through the policy and made some changes. The Supervisor said the Board has this policy and has reviewed it.

Council Member Gunza said that the Comptroller has made some additional corrections in the document.

Council Member Edsall made a motion seconded by Council Member Stradley to accept the Procurement Policy as amended by the Comptroller.

**MOTION CARRIED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

Purchasing Agent:

Supervisor Livsey said that the Town had previously created the position of Purchasing Agent with few guidelines. The Supervisor said that the Comptroller and Ms. Stradley have come up with a job description that he would like the Board to approve.

Council Member Edsall made a motion seconded by Council Member Gunza to accept the job description for the Purchasing Agent as prepared by the Comptroller and Ms. Stradley.

**MOTION CARRIED: 4-eyes (Livsey, Edsall, Gunza, Gokey)
0-nays
1-abstention (Stradley)**

Water District 2 Billing & Billing Dates:

Mr. Rider said the Town currently sends out the bills in May and November, but that can be changed.

Supervisor Livsey explained that the homeowners in Water District 2 will be receiving a different bill this year which will include the charge back and bond payment. The Supervisor said the bill should be approximately \$200.

Council Member Edsall said that the first bill will approximately: 1-Connected to water \$100; 2-Getting water soon \$70; 3-Some access to pipes \$40; 4-Little/no hope of water \$10.

Water District 2 Funding Package Resolution:

Supervisor Livsey has a resolution to authorize submission to the Environmental Facilities Corporation for a funding package under the New York State Drinking Water State Revolving Loan Fund.

Council Member Edsall made a motion seconded Council Member Stradley to adopt the resolution to authorize submission to the Environmental Facilities Corporation for a funding package under the New York State Drinking Water State Revolving Loan Fund.

**RESOLUTION ADOPTED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

LIAISON REPORTS

Council Member Edsall:

Water: The water project is moving along. Mr. Edsall thanked the Village for their cooperation. There will be a meeting on Thursday with the Settlement Master.

Sewer: Everything is going good at the Sewer Plant.

Planning Board: Will be meeting with Chairman Smith to discuss Homeland Towers.

Council Member Stradley:

Met with Justin Rider, Tony Squicciarini and Roy Hannawalt on the Weyant Road issues and things are moving forward.

Council Member Gunza:

Police: The Board has paperwork on 3 applicants for police officer and Orange County has already approved these people. The Chief is working on a Mutual Aid agreement with another municipality.

Disaster Committee: Have 4 candidates to interview for Coordinator.

911: The Putnam Tower is up and running.

Ambulance/Fire Dept.: Both have been very busy.

Council Member Gokey:

Assessor's Office: Phase 3 of the re-valuation is beginning.

Building Dept.: The new Building Inspector is settling in.

Council Member Gokey said that the Drug & Alcohol Policy needs to be updated for Dial-A-Bus and the Town. Orange County is making the changes and the Board will need to approve them.

SUPERVISOR'S REPORT

Supervisor Livsey and Council Member Gunza visited Cornwall Supervisor, Kevin Quigley to discuss a couple of things.

Supervisor Livsey met with Mayor D'Onofrio and Deputy Mayor DiSalvo and discussed the Village wanting the Town to take over the expenses for some things like Roe Park, Vision and Garden Club. The Supervisor would like to discuss this and bring something back to the Village. The Supervisor also suggested maybe taking over a little at a time.

Supervisor Livsey met with Orange & Rockland and was given phone numbers in case there is a problem.

Supervisor Livsey said that the Orange County has the packets for the Community Development Grants and will be distributing them in April. Council Members Gunza and Stradley will be attending the meeting and picking up the packets.

ATTORNEY'S COMMENTS

Mr. Rider said that Orange County were concerned that one of the levels on the Veteran's Exemption didn't meet their structure and they requested that the amount be not "to exceed \$12,000" instead of \$15,000.

Council Member Edsall made a motion seconded by Council Member Gokey to adopt the resolution to correct the amount of the Veterans Alternative Exemption for Real Property Taxes in accordance with Real Property Tax Law Section 458-a.

**RESOLUTION ADOPTED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

******RESOLUTION ATTACHED******

UNFINISHED BUSINESS

Brooks Park Grant Extension:

Supervisor Livsey has a resolution to submit to New York State a request for a 1 year extension.

Council Member Gunza made a motion seconded by Council Member Gokey to authorize the submission of grant extension request to New York State for Brooks Park Improvements.

**RESOLUTION ADOPTED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

******RESOLUTION ATTACHED******

IT-Ugrade:

Council Member Gokey believes there is enough money in the budget to cover the upgrade.

Council Member Edsall asked if the backup is being done locally.

Council Member Gokey said the backup is being done in real time. Ms. Gokey said the upgrade is also being done so all the software is compatible. Ms. Gokey said the plan is to get a blanket license for Microsoft Office 2012 for everyone.

Council Member Gunza asked how the web page is coming.

Council Member Gokey said that she is providing IT with things to put on the website and when that is done everyone will have access to add or change things.

Council Member Edsall asked if the Town would be protected if the building burned.

Council Member Gokey believes we are.

Council Member Edsall would like more clarification before anything is done.

Time Warner:

Supervisor Livsey met with Time Warner to discuss a contract. The Supervisor said the Town is currently working off a contract from 1994. The Supervisor is hoping to have a new camera in the near future. The Supervisor said that Time Warner is looking to make a commitment to the community if anyone knows of anything.

Energy Audit:

Council Member Edsall spoke to Tony Squicciarini who will speak to Pat Hines (MHE) about bringing the Town an updated proposal which will include a generator for the Town Hall.

Recreation Insurance Reserve Fund:

Mr. Rider does not have anything complete, but will have a policy for the Board's consideration before the next meeting.

Recycling:

Council Member Stradley said the Town needs to be more aware of the recycling issues.

Property Maintenance:

Supervisor Livsey looked at the house by the Milsom's and he agrees that there is a problem. The Supervisor said the Village is working on it and that the Town has no jurisdiction in the Village.

Dial-A-Bus:

Council Member Stradley said that Dial-A-Bus Manager, Colleen Solan said she doesn't think the Dial-A-Bus is able to go to the Garrison Train Station.

Emergency Action Coordinator:

Council Member Gunza said there are 4 applicants for the job that the Committee will interview. Ms. Gunza said that the Committee will present their choice to the Town Board. Ms. Gunza said Chief Quinn has been a big help and that the next meeting will be at the Police Station.

Police Officer Candidates:

Supervisor Livsey said the Board has the information on these candidates. The Supervisor informed everyone that these officers will not cost the Town any extra money except for their uniforms and equipment.

Council Member Gokey asked if the officers should be appointed separately for seniority purposes.

The Board decided to appoint the officers in the order that the applications were in their packet.

Council Member Gunza made a motion seconded by Council Member Edsall to appoint David Schassler as a part-time Police Officer for the Town of Highlands with the maximum probation period and minimum salary.

MOTION CARRIED: 3-eyes (Gunza, Stradley, Edsall)

0-nays

2-abstentions (Livsey, Gokey)

Council Member Gunza made a motion seconded by Council Member Edsall to appoint Michael Coleman as a part-time Police Officer for the Town of Highlands at the maximum probation period and minimum salary.

MOTION CARRIED: 4-eyes (Edsall, Stradley, Gunza, Gokey)
0-nays
1-abstention (Livsey)

Council Member Gunza made a motion seconded by Council Member Stradley to appoint Aneudi Hernandez as a part-time Police Officer for the Town of Highlands at the maximum probation period and minimum salary.

MOTION CARRIED: 4-eyes (Edsall, Stradley, Gunza, Gokey)
0-nays
1-abstention (Livsey)

Unpaid Water Bills:

Supervisor Livsey asked Mr. Rider if he checked into the unpaid bills being relieved onto the Town taxes.

Mr. Rider said he is still working on it.

Community Service Program:

Judge Fastis reported that the Community Service Program is going well. Mr. Fatsis said that he has received prices on the safety vests and would also like to get some equipment to hand out to the organizations helping with the program and he would like to know how the Board would like to proceed.

Supervisor Livsey advised Judge Fatsis to give the information to the Purchasing Agent to look into and asked him to bring the vest prices to him.

GENERAL BUSINESS

Police Commissioner:

Supervisor Livsey said that because he is not the Police Commissioner, there needs to be 2 other Board members on the Police Commission.

Council Member Gokey made a motion seconded by Council Member Gunza to appoint Council Member Edsall and Council Member Stradley as members of the Police Commission.

MOTION CARRIED: 4-eyes (Edsall, Stradley, Gunza, Gokey)
0-nays
1-abstention (Livsey)

Dial-A-Bus Contract:

Supervisor Livsey has the new Dial-A-Bus contract from Orange County. The Supervisor was informed by Ms. Solan that it is the same as in the past years.

Council Member Gunza would like Mr. Rider to review the contract before it is signed.

PUBLIC COMMENT

Dan Malarky is concerned that some dumpsters are overflowing and/or broken in Fort Montgomery.

Supervisor Livsey said he would look into it.

Mr. Malarky said he heard that the Town was forming a committee to regulate signs and he would like to be on that committee.

Supervisor Livsey said the Town is not at that point yet, but it will get worked on.

ADJOURN

Council Member Stradley made a motion seconded by Council Member Edsall to adjourn the meeting. Meeting adjourned at 8:30pm.

**MOTION CARRIED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Gokey)
0-nays**

Attest,

RESOLUTION

OF

FEBRUARY 13, 2012

A RESOLUTION TO ADOPT
A LOCAL LAW AMENDING
CHAPTER 35 ENTITLED "PROCUREMENT POLICY"
OF THE CODE OF THE TOWN OF HIGHLANDS

Council Member **Gunza** moved the following resolution which was seconded by Council Member **Gokey**.

WHEREAS, the Town Board of the Town of Highlands adopted a resolution on the 9th day of January, 2012 ordering a public hearing to be held on the 13th day of February, 2012, at 7:00 o'clock p.m., prevailing time, to hear all interested parties on proposed Introductory Local Law #1 of the Year 2012 entitled "A Local Law Amending Chapter 35 entitled 'Procurement Policy' of the Code of the Town of Highlands;" and

WHEREAS, a notice of Public Hearing was duly advertised on the 3rd day of February, 2012 in The News of the Highlands and posted on the Town Clerk's sign board on the 31st day of January, 2012; and

WHEREAS, the Public Hearing was duly held on the 13th day of February, 2012 at 7:00 o'clock p.m., at Town Hall, 254 Main Street, Highland Falls, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the adoption of said Local Law providing for an increase in the bidding amounts for public works contracts and purchase contracts in accordance with the General Municipal Law, as well as providing for an annual review process of the procurement policy constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act; and

WHEREAS, the Town Board of the Town of Highlands, after due deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Highlands hereby adopts said Local Law #1 of the Year 2012 entitled "A Local Law Amending Chapter 35 entitled 'Procurement Policy' of the Code of the Town of Highlands."

2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Highlands and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

William Edsall, Councilman voting **Aye**

James Stradley, Councilman voting **Aye**

June Gunza, Councilwoman voting **Aye**

Holly Gokey, Councilwoman voting **Aye**

Bob Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on February 13, 2012.

June Patterson, Town Clerk

RESOLUTION

OF

FEBRUARY 27, 2012

A RESOLUTION TO AUTHORIZE
SUBMISSION OF AN APPLICATION
TO THE ENVIRONMENTAL FACILITIES
CORPORATION FOR A FUNDING PACKAGE
UNDER THE NEW YORK STATE DRINKING
WATER STATE REVOLVING LOAN FUND

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Stradley**.

WHEREAS, the Town of Highlands on behalf of Town of Highlands Water District #2 has passed an Order of Public Interest in the matter of the Town of Highlands Water District #2 Distribution System Extension (the "Project");

WHEREAS, the Town Board now seeks funding of the Project through the New York State Drinking Water State Revolving Loan Fund (the "NYSDWSRF"); and

WHEREAS, the New York State Environmental Facilities Corporation (the "EFC") and New York State Department of Health (the "DOH") jointly administer the NYSDWSRF and award funding to a select number of municipalities in accordance with the applicable rules and regulations thereof; and

WHEREAS, the Project has been listed on the Final Readiness List of the Final Intended Use Plan for the NYSDWSRF for October 1, 2011 – September 30, 2012 as Project Number 18060 with a score of 155; and

WHEREAS, in order to submit an application to the EFC and DOH for financial assistance, the applicant municipality must obtain the approval/endorsement of the governing body of the municipality.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Highlands on behalf of Water District #2 hereby does approve and endorse the application for funding of the Project with the EFC and DOH under the NYSDWSRF; and

BE IT FURTHER RESOLVED, that, in the event of any funding award, the Town of Highlands Supervisor is hereby authorized to execute the requisite Funding Agreements for and on behalf of the Town of Highlands and Water District #2, and to deliver the executed Agreement to the EFC and DOH; and

BE IT FURTHER RESOLVED, that the Town of Highlands and Water District #2 are hereby authorized to accept the funds in accordance with the terms of the Agreements; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are hereby authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, agreements, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and the terms and conditions of the Funding Agreements; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Aye**

June Gunza, Councilwoman voting **Aye**

Holly Gokey, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands on February 27, 2012.

June Patterson, Town Clerk

RESOLUTION

OF

FEBRUARY 27, 2012

A RESOLUTION TO AUTHORIZE
SUBMISSION OF GRANT EXTENSION
REQUEST TO NEW YORK STATE
FOR BROOKS PARK IMPROVEMENTS

Council Member **Gunza** moved the following resolution which was seconded by Council **Gokey**.

WHEREAS, the Town of Highlands and the People of the State of New York, acting by and through the New York State Office of Parks, Recreation and Historic Preservation entered into an agreement whereby the Town has the ability to develop Brooks Park;

WHEREAS, the Town Board sought and received grant funds to help in the development of Brooks Park; and

WHEREAS, the State of New York, acting by and through the New York State Office of Parks, Recreation and Historic Preservation is willing to extend the time in which to use the grant funds if the Town remains committed to further development of Brooks Park; and

WHEREAS, in order to submit the grant application extension, the applicant municipality must obtain the approval/endorsement of the governing body of the municipality.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Highlands hereby does approve and endorse the application for a grant extension under the New York State Office of Parks, Recreation and Historic Preservation Grant Program; and

BE IT FURTHER RESOLVED that the Town of Highlands Supervisor is hereby authorized to execute the requisite Grant forms and documents for and on behalf of the Town of Highlands, and to deliver the documents to New York State Office of Parks, Recreation and Historic Preservation; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are hereby

authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, agreements, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and the terms and conditions of the Grant Agreement; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Aye**

June Gunza, Councilwoman voting **Aye**

Holly Gokey, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on February 27, 2012.

June Patterson, Town Clerk