

## TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, March 26, 2012 at Town Hall, 254 Main St, Highland Falls, NY 10928 at 7:00pm.

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

ABSENT: James Stradley ---- Council Member

Supervisor Livsey opened the meeting at 7:00pm.

### PUBLIC COMMENT

No public comment.

### MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from the March 12, 2012 Town Board meeting.

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

### COMMUNICATIONS

Supervisor Livsey invited the Board to attend the Association of Mayors/Supervisors Monthly dinner meetings. The Supervisor said the cost is \$30 and will be reimbursed by the Town.

Supervisor Livsey received the following correspondence:

A letter from the Orange County Municipal Planning Federation about their Spring sessions.

A letter from the Orange County Planning Department about two sessions on March 29 about the new Green Building Code.

A letter from Kathy Hammill from the Hudson Highlands Land Trust asking to speak at the meeting tonight.

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Andy Schmar from the Hudson Highlands Land Trust said that when they get e-mails from the State about grants, they will forward them to the Town.

Supervisor Livsey announced that Council Member Stradley is ill.

### **FINANCIAL REPORTS, REQUESTS & RESOLUTIONS**

Supervisor Livsey reported that the AUD is almost finished. (Information is attached to these minutes)

Supervisor Livsey asked Mr. Rider about the Tax Certiorari for Rock Terrace.

Mr. Rider said that the negotiations are progressing and he asked the Board to review the resolution and consider it for the next meeting.

### **BOARD REPORTS**

#### **Council Member Edsall:**

Sewer Department - Everything is running good.

Disaster Preparedness: The Committee is a good team.

#### **Council Member Gunza:**

Emergency Preparedness Committee - Doing a good job. Thanked Bill Stoppel for initiating the process and Chief Quinn for keeping it going.

#### **Council Member Gokey:**

IT - Informed them that the expenditures were approved. They will advise when they will be doing the work.

Building Dept. - Met with John Hager regarding the projects on his list.

Substance Abuse Policy - The policy has been sent to the County for their language.

Assessor - The first set of meetings are done. Appraisal Consultants will be back on April 9-10 for more meetings. The changes will be sent out to residents the beginning of May.

Supervisor Livsey stated that at the last meeting he said the re-val was set in stone. The Supervisor said he was mistaken, that the Board is not obligated to accept the numbers and they need to sit down and evaluate everything.

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Council Member Gokey said that Assessor Jean Talman will review the numbers and make any changes she feels are needed.

Council Member Edsall asked if the Board had a certain date they needed to act by.

Mr. Rider said the Assessor has deadlines and that any challenges should begin May 1.

Council Member Gokey said the numbers in the mailing are tentative. Ms. Gokey explained that the School tax might change because of an issue with the STAR exemption.

Supervisor Livsey said that a lot of appointments at the Library were cancelled when the residents found out that their assessments weren't doubled.

Council Member Gunza asked if the IT Department were going to upgrade the programs in the next couple of weeks.

Council Member Gokey said they were.

## **SUPERVISOR'S REPORT**

Supervisor Livsey was advised of a potential problem with the insurance buyout. The Supervisor reported that he was told if an employee is covered under the NYSHIP by their partner, they cannot receive a buyout.

Supervisor Livsey would like the Board to consider not providing the Supervisor with Health Insurance. The Supervisor believes that this is a part-time job and should not be eligible for health benefits.

Mr. Rider said he will research and see how this could be done.

Supervisor Livsey said that the local Time Warner Cable is closing effective April 29. The Supervisor is writing a letter disagreeing with this and suggested everyone else do the same.

## **ATTORNEY'S COMMENTS**

Mr. Rider stated that he is working on various assignments.

**UNFINISHED BUSINESS**

**FEMA & Basement Remediation:**

Town Clerk June Patterson reported that the first batch of records has been inspected for mold and have been certified clean. The Town Clerk hand carried the Certification to the Supt. Of Schools and is awaiting permission to move the records to the school.

**MHE Energy Study:**

Council Member Edsall reported that, due to a death in the family, MHE has been unavailable to provide the information, but it will be ready by April 13.

Supervisor Livsey reported that he is soliciting prices for a gas burner and on demand water heater.

**Volunteer Recognition Luncheon:**

Supervisor Livsey said that he has no problem with the Town being a Gold member and donating \$125 towards the scholarship.

Council Member Edsall made a motion seconded by Council Member Gokey to donate \$125 to the Office of the Aging for the scholarship.

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

**Water District 2 Update:**

Council Member Edsall stated that there is still no contract, which is not the Town's fault. Mr. Edsall said that there has been some progress made on the easements.

Supervisor Livsey said that the Settlement Master paid for the soft charges until December and then it became the Town's responsibility. The Supervisor said that without a contract, the Town does not know what it is paying for.

Mr. Rider said that the amended Water Agreement with the Village should be available soon.

Supervisor Livsey showed everyone a copy of the new water bill they will be receiving and explained the charges.

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Mr. Rider has a resolution to confirm submission of an application to the New York State Comptroller to increase maximum expenditure in accordance with Town Law 209-H.

Council Member Gokey made a motion seconded by Council Member Edsall to adopt the Resolution to Confirm Submission of an Application to the New York State Comptroller to Increase Maximum Expenditure in Accordance with Town Law 209-H.

**RESOLUTION ADOPTED: 4-eyes (Livsey, Edsall, Gunza, Gokey)**  
**0-nays**  
**1-absent (Stradley)**

**\*\*\*\*RESOLUTION ATTACHED\*\*\*\***

### Ethics Committee:

Supervisor Livsey said this would be discussed Council Member Stradley is present.

### Recreation Commission:

Supervisor Livsey said this would be discussed when Council Member Stradley is present.

### Roe Park Expenses:

Supervisor Livsey reported that in the News of the Highlands, the Village stated that they are removing the expenses for Vision, Garden Club, Highlanders, and some of the expenses for the Roe Park Pool, from their budget. The Supervisor is recommending that the Town take over those expenses.

Council Member Gunza pointed out that there was already has money for these in the budget, so it wouldn't be that much more for the Town.

Mr. Rider said that the existing agreement between the Village and Town speaks to some of these costs and he would like the Board to discuss the agreement and make any changes needed, instead of making changes one at a time.

Council Member Gunza would like to see the Village and Town Planning Boards merge.

Council Member Edsall said this is something that has worked with the Zoning Board.

### Settlement of Police Union Claim and Grievance:

Mr. Rider stated that OIC Randell Bailey filed a grievance and after negotiations, an agreement has been reached. Mr. Rider suggested that the Board approve the settlement tonight if everything is okay.

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Council Member Gokey stated that Council Member Stradley was not in favor of this settlement and would have voted no. Ms. Gokey said she is also not in favor of the settlement, but it would cost the Town more to fight it than to pay it.

Council Member Edsall made a motion seconded by Council Member Gunza to settle any and all claims by Officer Bailey from the beginning of time until today's date to a full satisfaction of \$6,000, a close-out letter, a 2012 salary in accordance with the Agreement and all releases. The Supervisor added that this was discussed by this Administration and the previous Administration and he is glad to see it settled.

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

### Board of Assessment Review:

Council Member Edsall made a motion seconded by Council Member Gunza to re-appoint Ralph Montellese to the Board of Assessment Review for a term of 5 years.

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

### Law Enforcement Seminar:

Council Member Gunza made a motion seconded by Council Member Gokey to authorize Chief Quinn to attend the Law Enforcement Executive Development Seminar with the expenses paid for by the Town.

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

Supervisor Livsey congratulated Chief Quinn for being chosen to attend this seminar.

### Master Plan Zoning Changes:

Supervisor Livsey said that someone in Fort Montgomery was not able to get a mortgage because of the home being in a Business District. The Supervisor thinks the Board should work on the zoning.

Council Member Edsall said the Master Plan had a diverse group of people and he would work with Counsel to get things itemized out.

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### Police Commissioners:

Council Member Gunza said that 3 members of the Town Board cannot be on the Police Commission and she recommends that the Police Commission be dissolved and the Board just go back to a liaison.

Council Member Edsall made a motion seconded by Council Member Gokey to abolish the Police Commission.

**MOTION CARRIED: 3-eyes (Edsall, Gunza, Gokey)**  
**0-nays**  
**1-absent (Stradley)**  
**1-abstain (Livsey)**

### Emergency Action Coordinator:

Council Member Gunza said the Emergency Action Committee interviewed 3 candidates for Coordinator and they are recommending 2 be hired. Ms. Gunza said the 2 candidates the Committee chose are Tim Connors and John O'Connor. Ms. Gunza suggested the position be re-titled and the Town Board appoints both.

Supervisor Livsey would like to check with Civil Service before anything is done.

### Cemetery Grass Cutting Bids:

Council Member Gokey made a motion seconded by Council Member Edsall to accept the low bid of #12,317.70 from McCarey Landscaping for the Cemetery Grass Cutting.

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

### Misc.:

Council Member Edsall said the Battlesite will be doing a cleanup on Saturday with the help of 1 community service worker.

Supervisor Livsey said the Town looks great with all the flowers.

Council Member Edsall said Vision could use some help with planting.

## **PUBLIC COMMENT**

Pharoby Ripa stated that she is glad the Board is still looking at consolidating as many entities as possible.

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Judge Fatsis said he believes that the Supervisor puts in many hours and deserves health insurance.

Chief Quinn thanked the Board for approving his seminar and informed everyone that the 3 new officers are training and will be on the road soon.

Pierre Chaubard met with Appraisal Consultants about his new appraisal and the meeting didn't go well.

Council Member Gokey explained the re-valuation process to Mr. Chaubard and advised him of the other avenues he can take if he is not satisfied.

Supervisor Livsey asked Mr. Chaubard to give Council Member Gokey his number so she can look into some things and get back to him.

**ADJOURN**

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

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

Attest,