

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, July 10, 2012 at Town Hall, 254 Main St, Highland Falls, NY at 7pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member (arrived 7:05pm)
	June Gunza	----	Council Member
	Holly Gokey	----	Council Member
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7:00pm.

PUBLIC COMMENT

None

MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from the June 25 Town Board meeting.

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

COMMUNICATIONS

Supervisor Livsey received a memo from Mayor D'Onofrio stating that he would like to apply for 2 grants to help the Main Street business owners. The Supervisor stressed that the Mayor needs letters of intent from the business owners by this Friday (7/13).

Supervisor Livsey received a letter of thanks from Orange County for the Town's \$125 donation.

Supervisor Livsey received notice that the tentative equalization rate for the Town is 100%.

Supervisor Livsey would like the residents who put up Yard Sale signs to take them down in a timely manner.

TOWN BOARD

JULY 9, 2012

Supervisor Livsey said the NYS Department of Labor has written the Town a violation on Workplace Violence. The Supervisor said that Ms. Blauvelt is working to put together a policy for the Town.

Supervisor Livsey received notification that Highway Supt. Squicciarini has been chosen to be on the ballot for the New York State Highway Superintendent's Executive Board. The Supervisor wished him good luck.

FINANCIAL REPORTS

Annual Financial Report 2011:

Supervisor Livsey said the Town has received the Annual Financial Report for 2011 from Vanacore. The Supervisor said the main concern was the deficiency in internal control.

Comptroller Blauvelt reviewed key points in the audit with everyone. Ms. Blauvelt stated that the Town received a "Clean Opinion" which is the highest a Town can get.

Health Director:

Ms. Blauvelt said that last year the Recreation Department had a Health Director, but that employee is no longer with the Town. Ms. Blauvelt said that there is another employee qualified to do the job and she would like the Board to amend the salary schedule to reflect this position at \$10 per hour.

Council Member Edsall made a motion seconded by Council Member Gokey to amend the salary schedule to include Health Director at \$10 per hour.

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

BOARD REPORTS

Council Member Edsall:

Sewer: Mr. Willis is cleaning up the plant.

Supervisor Livsey asked if the outside needed a coat of paint.

Council Member Edsall said the outside of the building needs to be addressed and that the housekeeping is a major issue.

TOWN BOARD

JULY 9, 2012

Council Member Stradley:

Recreation Department: Long Pond is doing very well. All activities are in full swing.

Supervisor Livsey said that he spoke to the person in charge of the water at Long Pond about the low conditions. The Supervisor said they are aware of it and are working on the problem. The Supervisor would like Mr. Squicciarini to consider back-dragging the lake instead of adding more sand at the end of the season.

Council Member Gunza:

Ambulance: The Ambulance has been busy. An EMT has resigned, but there is another waiting to be hired. Capt. Stoppel is working on a plan for the Ambulance and Police Departments share the cost of oxygen.

Police: Still working on the contract and the police are still providing security for the Court.

Emergency Management: The next Emergency Management Committee meeting will be on August 8. Ms. Gunza explained that this committee is comprised of all local agencies.

Supervisor Livsey asked Capt. Stoppel to explain the donation letter the residents received in the mail.

Capt. Stoppel first stated that the Ambulance Corps treated 4 people and had 2 standbys on July 4th.

Capt. Stoppel explained that there are 2 sections to the Ambulance. There is the Ambulance Corps which is volunteer and the Ambulance District which is a tax district. Capt. Stoppel said the Ambulance holds a fund drive every other year and no one is obligated to donate.

Council Member Gokey:

Building Department: The Building Dept. has been very busy.

IT: They are working with KVS to install the new server today. The Highway Dept. will be updated with a diagnostic computer.

Safe Place: Obtained information on line and plan to take a webinar to see what the Town can do. The website is nationalsafeplace.org.

Assessor: The final roll is being filed.

TOWN BOARD

JULY 9, 2012

SUPERVISOR'S REPORT

Already discussed most of his report during regular business.

ATTORNEY'S REPORT

The attorney will discuss his items during the meeting.

UNFINISHED BUSINESS

Community Service Program:

Judge Fatsis announced that he has received another donation for the Community Service Program. Mr. Fatsis said that he has purchased some equipment for the program with the previously donated funds.

Supervisor Livsey said the participants are doing a lot of work for the community and it is not costing the Town anything.

Judge Fatsis said the message of accountability is more important than the free labor.

Supervisor Livsey thanked Judge Fatsis for championing this program.

Court Attendant:

Supervisor Livsey reported that Bill #S.6320 to amend the Criminal Procedures Law is now in the Governor's office. The Supervisor said the Governor has 10 days to sign it and he would like the Board to adopt a resolution supporting this. The Supervisor said he already has a letter of support from the Court and Chief of Police.

Judge Fatsis asked if a Village Trustee could also provide a letter.

Supervisor Livsey said that would be fine, but he would need it tomorrow morning.

Council Member Gokey made a motion seconded by Council Member Gunza to adopt the Resolution of Support for Proposed Senate Bill S.6320 to Amend the Criminal Procedures Law to allow Court Attendants in the Town of Highlands to be Designated as Peace Officers.

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

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

TOWN BOARD

JULY 9, 2012

Council Member Gunza said the Supervisor is working on an alternative plan if this doesn't go through.

Town Hall Basement Remediation:

Supervisor Livsey reported that the Town has received 3 very different proposals to fix the basement water problem. The Supervisor said that the engineer is looking at them and will determine what the best approach is. The Supervisor also said that the quotes range from \$24,000 to 37,000 and if the job will cost more than \$35,000 it must go out to formal bid.

Supervisor Livsey said that the Town Clerk has obtained 2 quotes to deal with the wet records in the POD. The Supervisor asked the Judges to meet with the Town Clerk and discuss the options.

Highway Time Clock:

Supervisor Livsey said this is being put on the back burner and might be revisited in the future to include all Town departments.

GENERAL BUSINESS

Resolution for Public Hearing – Local Law #2 2012 (“Buildings, Unsafe”):

Supervisor Livsey has a resolution to set a public hearing to introduce Local Law #2 of 2012 (“Buildings, Unsafe”).

Mr. Rider said this was modeled from the Village code which was more up to date than the Town's.

Council Member Gokey made a motion seconded by Council Member Edsall to adopt the resolution setting the public hearing to introduce Local Law #2 of 2012 “Buildings, Unsafe”.

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

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

Paid EMT Resignation/Hire:

Council Member Edsall made a motion seconded by Council Member Gokey to accept the resignation of paid EMT Martha Byrnes, effective immediately.

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

TOWN BOARD

JULY 9, 2012

Council Member Gunza made a motion seconded by Council Member Gokey to hire Johnny Martinez as a paid EMT at the base salary of \$14.05/hour and at the maximum probationary period.

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

Supervisor Livsey said this hire is for the pool only.

Use of Memorial Park:

Supervisor Livsey has a request for the use of Memorial Park for bi-lingual revivals on July 19-21 and July 26-28.

Council Member Gokey made a motion seconded by Council Member Stradley to allow the use of Memorial Park for these revivals contingent upon a valid insurance certificate being submitted to the Town.

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

Scenic Hudson Request for Support:

Council Member Edsall said that Scenic Hudson is close to purchasing the Fort Montgomery Marina and they have expressed interest in working with the Town to make a park. Mr. Edsall explained that Scenic Hudson needs a letter of support from the Town to apply for a grant from the NYS Office of Parks, Recreation and Historic Preservation.

Supervisor Livsey said he was originally upset that Scenic Hudson was taking the property, but with the talk of a park, he is now okay with it.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the Resolution to Support Scenic Hudson, Inc. in an Application for Grant Funding from the NYS Office of Parks, Recreation and Historic Preservation for a Park Project Known as the Fort Montgomery Marina.

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

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

PUBLIC COMMENT

Charlie Murphy asked if Scenic Hudson has submitted a plan to the Town and whether Scenic Hudson plans to have just a park or also a marina or restaurant for revenue.

TOWN BOARD

JULY 9, 2012

Council Member Edsall said they haven't purchased the property yet, but they are willing to work with the Town. Mr. Edsall also said that if PIPC owns the property, the Town will get some payment.

Council Member Gokey asked if the PIPC owned the property, would the Town have the same option of a long term lease that they have with Brooks Park.

Council Member Edsall said it was likely, but he wasn't sure.

Supervisor Livsey asked Ms. Murphy to attend any meetings the Town has with Scenic Hudson.

James Grant asked why the Town will not clean up the area at Garrison's Pond.

Judge Fatsis said that maybe community service workers could do that.

Council Member Edsall said he would look into it.

Mr. Rider said there is a liability concern if the Town maintains it. Mr. Rider asked Council Member Stradley to speak with Mr. Squicciarini to see if this can be resolved.

Ed Magryta said the tax impact of the Fort Montgomery Marina should not be understated. Mr. Magryta is concerned with the water project delays causing the Drew Rd residents to be fined.

Mr. Rider informed Mr. Magryta that the Orange County Health Department is aware of the delay and he has not heard about any fines.

Supervisor Livsey said the Town is still looking at an October ground breaking.

Pat Flynn announced the following: 1) this Friday at My Town Marketplace there will be movie night; 2) July 22, at Roe Park there will be Family Night; and 3) He is trying to put together a directory of all the local businesses and is asking any local business owner to drop off their business cards at one of three locations.

Pat Flynn said that while Capt. Stroppel is all about people getting awards, he never includes himself with them. Mr. Flynn said that Capt. Stroppel does far more for this community than anyone will ever know and he needs to be thanked.

TOWN BOARD

JULY 9, 2012

EXECUTIVE SESSION

Supervisor Livsey made a motion seconded by Council Member Gokey to go into executive session to discuss Police personnel and other personnel matters. Board went into executive session at 8:40pm.

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

Council Member Edsall made a motion seconded by Council Member Gokey to close the executive session. Executive session closed at 9:45pm.

ADJOURN

Council Member Gokey made a motion seconded by Council Member Edsall to adjourn the meeting. Meeting adjourned at 9:46pm.

Attest,

RESOLUTION
OF
JULY 9, 2012

A RESOLUTION TO INTRODUCE AND
SCHEDULE A PUBLIC HEARING TO RECEIVE
PUBLIC COMMENTS CONCERNING THE ENACTMENT OF
A LOCAL LAW AMENDING AND RESTATING
CHAPTER 88 ENTITLED "BUILDINGS, UNSAFE"
OF THE CODE OF THE TOWN OF HIGHLANDS

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

BE IT RESOLVED, that INTRODUCTORY LOCAL LAW NO. 2 OF 2012 entitled "A Local Law Amending and Restating Chapter 88 entitled 'Buildings, Unsafe' of the Code of the Town of Highlands" be and hereby is introduced before the Town Board of the Town of Highlands in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that pursuant to Municipal Home Rule Law Section 20, a public hearing shall be held to receive comments concerning the enactment of said Local Law on July 23, 2012 at 7:00 p.m. at the Town Hall located at 254 Main Street, Highland Falls, New York, and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing specifying the time when and the place where such public hearing will be held by publication and posting in accordance with the Municipal Home Rule Law.

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: **Aye**

June Gunza, Councilwoman: **Aye**

Holly Gokey, Councilwoman: **Aye**

William Edsall, Councilman: **Aye**

Mervin R. Livsey, Supervisor: **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 July 9, 2012.

June Patterson, Town Clerk

**RESOLUTION
OF
JULY 9, 2012**

**A RESOLUTION OF SUPPORT FOR
PROPOSED SENATE BILL S.6320
TO AMEND THE CRIMINAL PROCEDURE LAW
TO ALLOW COURT ATTENDANTS IN THE
TOWN OF HIGHLANDS
TO BE DESIGNATED AS PEACE OFFICERS**

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

WHEREAS, there has been introduced before the New York Senate and the New York State Assembly a bill know as S.6320 which is an act to amend the criminal procedure law, in relation to designating court attendants for the town court of the Town of Highlands, in the County of Orange, as peace officers; and

WHEREAS, this bill will allow for greater security within the Town Court in the Town of Highlands.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Highlands in its capacity as governing body of the Town, does hereby support the enactment of New York State Senate Bill S.6320; and

BE IT FUTHER RESOLVED, that certified copies of this Resolution be delivered to the Hon. Andrew Cuomo, Governor, the Hon. William J. Larkin, Jr., Senator for the 39th District, and the Hon. Nancy Calhoun, Assemblywoman for the 96th District, by the Town Clerk; and

BE IT FURTHER RESOLVED, that the aforesaid resolution 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, Council Member: **Aye**

June Gunza, Council Member: **Aye**

Holly Gokey, Council Member: **Aye**
William Edsall, Council Member: **Aye**
Mervin R. Livsey, Supervisor: **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 July 9, 2012.

June Patterson, Town Clerk

RESOLUTION
OF
JULY 9, 2012

A RESOLUTION TO SUPPORT SCENIC HUDSON, INC.
IN AN APPLICATION FOR GRANT FUNDING FROM
THE NEW YORK STATE OFFICE OF PARKS, RECREATION
AND HISTORIC PRESERVATION FOR A PARK PROJECT KNOWN
AS THE FORT MONTGOMERY MARINA

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

WHEREAS, Scenic Hudson, Inc. is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at the site commonly referred to as the Fort Montgomery Marina, appearing on the tax map of the Town of Highlands as Section 16, Block 3, Lot 23, a site located within the territorial jurisdiction of this Town Board; and

WHEREAS, as a requirement under the rules of these programs, Scenic Hudson must obtain the endorsement of the governing body of the Town of Highlands;

NOW THEREFORE, be it resolved by the Town of Highlands Town Board hereby does approve and endorse the application of Scenic Hudson, Inc. for a grant under the Environmental Protection Fund for a park project known as the Fort Montgomery Marina Park located within the Town of Highlands

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: Aye
June Gunza, Councilwoman: Aye
Holly Gokey, Councilwoman: Aye

William Edsall, Councilman: Aye

Mervin R. Livsey, Supervisor: 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 July 9, 2012.

June Patterson, Town Clerk