

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, May 13, 2013 at Town Hall, 254 Main St, Highland Falls at 7:00pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member (arrived 7:10pm)
	June Gunza	----	Council Member
	Holly Gokey	----	Council Member
	Justin Rider	----	Counsel
	Kelly Blauvelt	----	Comptroller
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7:00pm.

PUBLIC COMMENT

Greg Madigan thanked Supervisor Livsey and Hwy Supt. Squicciarini for taking care of the pothole on the 9W exit ramp.

Supervisor Livsey said it was actually Pat Patterson, Village Street Supt., that handled that.

Mr. Madigan thanked the Village.

MINUTES

Council Member Gunza made a motion seconded by Council Member Edsall to approve the minutes from the March 15 meeting.

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

Council Member Gunza made a motion seconded by Council Member Gokey to approve the minutes from the April 22 meeting.

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

COMMUNICATIONS

Bike & Hike:

Supervisor Livsey said he provided Olga Anderson with a letter stating that the Town had no objections to this event.

Council Member Edsall made a motion seconded by Council Member Gokey to authorize Supervisor Livsey to send a letter to Ms. Anderson that states the Town has no objection to the Bile & Hike.

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

Letter from Capt. Stroppel:

Capt. Stroppel wrote a letter to Capt. Wade (US Army) commending SFC John Walker for his recent actions during an emergency. Capt. Stroppel stated in his letter that SFC Walker was instrumental in preventing this person from further injury.

Capt. Stroppel said this letter was put in SFC Walker's file and, he believes, SFC Walker received an award from the Garrison Commander.

Brooks Park Pavilion:

Supervisor Livsey said he received two (2) proposals for the Pavilion at Brooks Park; one from McCarthy Carpentry and one from Hannawalt Enterprises. The Supervisor stated that he also requested a proposal from Mr. Tonneson, but he did not provide any numbers. The Supervisor said he will be opening the proposals tonight, but may not announce the numbers.

FINANCIAL REPORTS, REQUESTS & RESOLUTIONS

Accounts Payable:

Supervisor Livsey said the A/P total was \$106,358.70 and the Trust & Agency total was \$743.50.

(Council Member Stradley arrived 7:10pm)

NYSHIP Premiums:

Supervisor Livsey said the Town has received notification that there will be a substantial increase in the health care costs for 2014. The Supervisor said it could be going up as much as 11.2% which is approximately \$40,000 more than this year.

Supervisor Livsey said that he and the Comptroller met with Marshall & Sterling about possibly changing health care plans. The Supervisor asked Ms. Blauvelt to explain the results of that meeting.

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Ms. Blauvelt explained that the plan that was discussed would be a big savings to the Town and the employees. Ms. Blauvelt said she is thoroughly researching providers and she plans to have a representative from the company come and speak to the employees. Ms. Blauvelt also said she has requested a quote for vision and dental.

BOARD REPORTS

Council Member Gokey:

Council Member Gokey reported that Building Inspector Hager provided her with proposed revisions to the Sign Ordinance.

Supervisor Livsey said he plans to bring that up towards the end of the meeting.

Council Member Gokey said Mr. Hager has issued a Last Chance Advisory Notice to a resident in Fort Montgomery for some building violations.

Council Member Gokey said she believes the last of the IT bills have been received for the virus clean-up.

Ms. Blauvelt said she thinks there is one (1) more coming.

Supervisor Livsey said that his computer locks after 10 minutes of non-use so no one is able to get on his computer without his knowing it.

Council Member Gunza:

Council Member Gunza read the Ambulance Monthly Report and thanked the Corps for the great job they always do.

Council Member Gunza said the advertisement for Court Attendant will be in the Times Herald Record for three (3) days this week and in the News of the Highlands for the next two (2) Fridays. Ms. Gunza said there are already three (3) applications submitted.

Council Member Gunza said Teresa Franck has resigned from the position of DCO and there is an application from Dominique Vigliotti for this position.

Council Member Gunza reported that the Disaster Committee continues to meet and they are now on Facebook. Ms. Gunza thanked Tierney Scott for setting up the Facebook page.

Council Member Stradley:

Council Member Stradley had nothing to report.

Council Member Edsall said that there was an incident recently where the Dial-A-Bus office had no coverage. Mr. Edsall thanked the Comptroller's office for covering the phones.

Council Member Edsall:

Council Member Edsall said he had a conference call with Scenic Hudson about the Fort Marina.

Council Member Edsall applauded Capt. Stropfel for supervising the clean-up at Stony Lonesome.

Council Member Edsall applauded Supervisor Livsey for taking the lead on the pavilion for Brooks Park.

Council Member reported that nothing is happening at the Sewer Plant.

SUPERVISOR'S REPORT

Water District Project:

Supervisor Livsey reported that the Groundbreaking Ceremony for the Water Project was today. The Supervisor said everyone on Drew is hooked up and it was paid for by the settlement. The Supervisor said that the other claimants hook ups will be paid for by the settlement and if someone is not a claimant, they will need to find someone to hook them up.

Fort Marina:

Supervisor Livsey said he will be signing the contract with Scenic Hudson tonight. The Supervisor questioned whether the Town would managers of the property after signing the contract.

Mr. Rider stated that all three (3) parties would have to sign first.

Supervisor Livsey said the Fort Montgomery Marina Committee is still looking for people interested in developing the park. The Supervisor stated, again, that the money for the park will come from sources other than the taxpayers.

Council Member Edsall said he will get something out this week.

Office for the Aging:

Supervisor Livsey said the Office for the Aging is looking for volunteers to help deliver meals. The Supervisor asked the Town Clerk to post the flyer.

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Luncheon:

Supervisor Livsey said he attended the Orange County RSVP Program at Pier 9 recently.

Water Bill:

Supervisor Livsey said the next water bill, most likely, have just usage on it. The Supervisor said the bond payments will begin next year.

Trees:

Supervisor Livsey said he helped plant trees, donated by NYSDEC, at Brooks Park and the Sewer Plant.

O&R – Telecommunication Towers:

Supervisor Livsey said he and Hwy Supt Squicciarini met with Mike Grant from O&R about erecting a telecommunications tower on the Town Garage property. The Supervisor said this tower would provide radio communications between O&R and the telephone poles.

GENERAL BUSINESS

Catch Basins:

Supervisor Livsey stated that the Department of Health will be sending crews around to larvicide the catch basins in the Town. The Supervisor said that this began on April 25 and the Town is scheduled to be done on week four (4) of six (6).

Town Board Meeting – May 27:

Supervisor Livsey said May 27 is Memorial Day and he would like to cancel the Town Board meeting. The Supervisor said the next scheduled meeting would be on June 10, but if something came up, a Special Meeting could be called.

Council Member Edsall made a motion seconded by Council Member Stradley to cancel the May 27 Town Board meeting.

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

Reserve Funds:

Supervisor Livsey said that the Board has been furnished with a list of the Reserve Funds. The Supervisor said Ms. Blauvelt had a proposal for a Reserve Fund.

Ms. Blauvelt suggested to the Board that they think about setting up a Reserve Fund to cover an IT disaster. Ms. Blauvelt provided the Board with some information.

HFFD Building Permit:

Supervisor Livsey said he was approached by Pat Patterson from the Highland Falls Fire Dept. explaining that the Department is doing renovations on the fire house. The Supervisor said Mr. Patterson is asking that the Building Permit fee be waived.

Supervisor Livsey stated that he emailed the Board and received two (2) ayes and with his aye it was enough to honor the request. The Supervisor instructed the Building Department to waive the fee.

Council Member Gokey made a motion seconded by Council Member Stradley to waive the Building Department fee for the Highland Falls Fire Department for their renovations.

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

Long Pond Lease:

Supervisor Livsey said he received the new Long Pond Lease from the Secretary of the Army.

Council Member Gunza made a motion seconded by Council Member Gokey to authorize the Supervisor to sign the Long Pond lease which expires December 31, 2018.

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

Scenic Hudson Mine Dock Park Cooperative Agreement:

Council Member Gokey made a motion seconded by Council Member Gunza to authorize the Supervisor to sign the Mine Dock Park Cooperative Agreement.

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

Dog Control Resignation/Hire:

Supervisor Livsey received a letter of resignation from Teresa Franck the Dog Control Officer.

Council Member Stradley made a motion seconded by Council Member Gokey to accept the resignation from Ms. Franck.

Supervisor Livsey has an application from Dominique Vigliotti for the position of Dog Control Officer.

Council Member Edsall made a motion seconded by Council Member Stradley to appoint Dominique Vigliotti as Dog Control Officer to fill the remaining term of Teresa Franck at the salary stated in the Salary Schedule and at the maximum probationary period.

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

Brooks Park Pavilion:

Supervisor Livsey asked if the Board wanted to move on the proposals for the pavilion at Brooks Park.

Council Member Edsall said the grant will pay for half and the Town will pay for the other half.

Supervisor Livsey said he requested three (3) proposals, but only received two (2). The Supervisor will ask that this job be done one (1) month from today.

Council Member Gunza made a motion seconded by Council Member Edsall to ask McCarthy Carpentry to do the job for a cost of \$23,495.

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

Memorial Park Use Form:

Supervisor Livsey said he received a request from the Highland Falls LDC to use Memorial Park for an Art Show & Auction for a 4th of July fundraiser. The Supervisor said there will be artists in the park teaching painting and selling their paintings.

Council Member Edsall made a motion seconded by Council Member Gunza to approve the request from the Highland Falls LDC to use Memorial Park on June 15.

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

Supervisor Livsey asked Council Member Gunza to explain the second request.

Council Member Gunza said the Highland Falls Fire Department is hosting the Orange County Fireman's Parade this September and they would like to use Memorial Park on September 23 for a Flag Raising Ceremony. Ms. Gunza also informed the public that on September 28 there will be a large Fireman's Parade in the Village.

Council Member Edsall made a motion seconded by Council Member Stradley to approve the request from the Highland Falls Fire Department to use Memorial Park.

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

Supervisor Livsey asked the Town Clerk to ask them to provide an insurance certificate.

Workplace Violence Prevention Policy Resolution:

Supervisor Livsey said the Town is required to adopt a Workplace Violence Prevention Policy every year.

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Ms. Blauvelt said she went back and forth with the Department of Labor and a couple of word changes were made. Ms. Blauvelt said she will do the training, but she needs the Board to approve the policy.

Council Member Gokey made a motion seconded by Council Member Gunza to approve the resolution adopting the Workplace Violence Prevention Policy for the Town of Highlands.

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

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

Proposed Expenditure from Town Hall Repair Reserve Fund (Retaining Wall):

Supervisor Livsey stated that Highway Supt. Squicciarini has found a company to pour the retaining wall on the side of the Town Hall. The Supervisor said the Town Highway crew will do the prep work and clean-up for this project. The Supervisor said the Village received \$10,000 which will be put towards this and that would leave \$22,000 for the Town to pay which will be taken out of the Town Hall Repair Reserve Fund.

Supervisor Livsey would like the Board to schedule a public hearing for this expenditure.

Council Member Gokey made a motion seconded by Council Member Edsall to set a public hearing to receive comments concerning a proposed expenditure from the Town Hall Repair Reserve Fund for the purpose of a retaining wall at the Town Hall. This public hearing will be scheduled for June 10 at 7:00pm at the Town Hall.

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

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

Sign Ordinance Discussion:

Supervisor Livsey said the Building Inspector is still trying to together a Sign Ordinance that he can work with. Supervisor Livsey said if anyone has any concerns or comments on the Sign Ordinance they should contact the Town.

Council Member Edsall said he would like to see more comments and he encouraged Mr. Hager to keep enforcing the Ordinance in the interim.

The Board had a lengthy discussion.

Supervisor Livsey said he would like the businesses to think about what signs they need.

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Mr. Rider said there might be cases where a variance is warranted.

Supervisor Livsey said the Town is trying to reduce the regulations, but also enforce what need to be enforced.

PUBLIC COMMENT

Chief Quinn stated that he informed the Board that the Memorial Day Parade had to be cancelled. The Chief said the parade was cancelled because of lack of resources.

Chief Quinn encouraged everyone to attend Joe D’Onofrio’s Memorial Day Ceremony.

Annie Scott thanked Supervisor Livsey and the Board for their work in getting the Water Project started. Ms. Scott also said she thinks it will be awesome to have a pavilion at Brooks Park.

ADJOURN

Council Member Edsall made a motion seconded by Council Member Gunza to adjourn the meeting. Meeting adjourned at 8:10pm.

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

Attest,

RESOLUTION

OF

MAY 13, 2013

A RESOLUTION OF THE
THE TOWN BOARD
ADOPTING A WORKPLACE
VIOLENCE PREVENTION POLICY
FOR THE TOWN OF HIGHLANDS

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

WHEREAS, Labor Law Section 27-b requires municipalities to design and implement workplace violence prevention programs; and

WHEREAS, the Town Board now seeks to implement an updated program in accordance with the Workplace Violence Prevention Policy attached hereto as Exhibit A (the "Policy"); and

WHEREAS, the Town Board is responsible for the safety of its employees, officers and visitors and for compliance with laws and regulations; and

WHEREAS, the adoption of said policy is a local legislative decision in connection with continuing agency administration and management, and does not include 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.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Highlands hereby does adopt the Workplace Violence Prevention Policy; and

BE IT FURTHER RESOLVED, the Supervisor is 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 of Highlands, all such certificates, agreements, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and 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 May 13, 2013.

June Patterson, Town Clerk

RESOLUTION
OF
MAY 13, 2013

A RESOLUTION TO INTRODUCE AND
SCHEDULE A PUBLIC HEARING TO RECEIVE
PUBLIC COMMENTS CONCERNING A
PROPOSED EXPENDITURE FROM THE
TOWN HALL REPAIR
RESERVE FUND:
RETAINING WALL

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

BE IT RESOLVED, that a public hearing shall be held to receive comments concerning the expenditure of funds from the Town Hall Repair Reserve Fund to wit: (i) the sum of Twenty Two Thousand (\$22,000.00) Dollars related to a poured concrete retaining wall in support of the building and bridge to the rear of Town Hall; and

BE IT FURTHER RESOLVED that a public hearing shall be held on **June 10, 2013** 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 and General Municipal 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	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 May 13, 2013.

June Patterson, Town Clerk