

TOWN BOARD

The Town Board, Town of Highlands, held a Public Hearing and meeting on Monday, June 10, 2013 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

PRESENT:	Mervin Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member
	June Gunza	----	Council Member
	Holly Gokey	----	Council Member
	Lesley Peterson	----	Deputy Town Clerk

PUBLIC HEARING

Supervisor Livsey opened the public hearing on the Proposed Expenditure from the Town Hall Reserve Fund.

PUBLIC COMMENT

None

MINUTES

Council Member Edsall made a motion seconded by Council Member Gokey to approve the minutes from the May 13, 2013 Town Board meeting.

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

EMPLOYEE MEDICAL INSURANCE PROPOSAL

Supervisor Livsey introduced Brad Palmiter from Marshall & Sterling Insurance Company (CDPHP). The Supervisor said this plan would save the Town a lot of money and would also benefit the employees.

Mr. Palmiter provided a handout about the plan and gave a presentation. (A copy of the handout is attached to these minutes.)

FINANCIAL REPORTS, REPORTS & RESOLUTIONS

Bills & Payments:

Supervisor Livsey said on May 17 the Accounts Payable was for \$192,177.46; the Water Project (Water District 2) was for \$2,751.15 and on May 31 the Accounts Payable was for \$44,330.86; the Trust & Agency was for \$835.

Resolution to Authorize Expenditure from Reserve Fund:

Council Member Gunza made a motion seconded by Council Member to authorize the expenditure of \$22,000 from the Town Hall Repair Reserve Fund for retaining wall.

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

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

Budget Transfer Requests:

Assessor:

Council Member Stradley made a motion seconded by Council Member Gokey to authorize the transfer of \$172.55 from the Assessor Other Expenses to Assessor-Assessment Board of Review.

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

Dog Control:

Council Member Edsall made a motion seconded by Council Member Gunza to authorize the transfer of \$300 from Dog Control Other Expenses to Dog Control Training.

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

Financial Report:

Supervisor Livsey has an email from the Comptroller stating that the Workers' Compensation premium for the Ambulance this year is \$26,934, which is \$11,000 less than last year because of a claim that has been dropped.

BOARD REPORTS

Council Member Gokey:

IT:

Council Member Gokey reported that, she believes, that the last of the virus bills have come in.

Comptroller Blauvelt confirmed they have.

Supervisor Livsey asked if this had been submitted to the insurance company.

Ms. Blauvelt said it had been.

Building Department:

Council Member Gokey said she is looking into updating the Building Department's computers because they did not have enough memory to run the BAS system. Ms. Gokey said one (1) computer will be replaced and more memory will be put in the other two (2).

Council Member Gokey also said she has been working with the Building Inspector on Fill Permits, amending the code for a Bed & Breakfast in a business zone. Ms. Gokey said the Building Inspectors have been looking for Property Maintenance Violations and the Mayor has asked if there was a way to expedite the process to get those violations cleared up.

Assessor's Office:

Council Member Gokey said the numbers for Grievance Day are still being reviewed.

Supervisor Livsey said the Assessor would like her Assistant to attend a training class on exemptions.

Council Member Gokey said it should be possible. Ms. Gokey said they might share a room so the only additional costs would be for the actual school.

Council Member Gunza:

Ambulance:

Council Member Gunza read the monthly Ambulance Report and said they have been very busy.

Police Department:

Council Member Gunza reported that the Police have two (2) resignations and the Chief has two (2) applicants.

Dog Control:

Council Member Gunza reported that Dog Control is doing well and more and more residents are complying with the regulations.

Disaster Preparedness:

Council Member Gunza said residents can get important information from the Disaster Preparedness Facebook page.

TOWN BOARD

JUNE 10, 2013

Court Attendants:

Council Member Gunza asked Chief Quinn to give an update on this.

Chief Quinn said there has been a tremendous response to the advertisement for Court Attendants. Chief Quinn said the deadline to submit an application was May 31 and interviews have already begun. The Chief said that everything should be ready for the Board for their next meeting and, hopefully, the new hires will be on board in July.

Council Member Stradley:

Highway:

Council Member Stradley reported that the Highway Department is very busy.

Recreation:

Council Member Stradley said that the Recreation Department has a lot going on. Mr. Stradley said there is softball/baseball, soccer sign-ups, summer playground sign-ups, a trip to Yonkers casino, a scuba class and more.

Council Member Edsall:

Marina Property:

Council Member Edsall said there was a kick-off meeting recently and a lot of clean-up was done. Mr. Edsall said there will be another meeting on June 22 at 9am at the site.

Supervisor Livsey said the meeting will be open to the public and he encouraged anyone who has any interest or ideas to please come and get involved.

Council Member Edsall thanked Edward Papaccio for his help dealing with a hazard at the site. Mr. Edsall also mentioned that there was a Police Officer there who taped off the area in case anyone got hurt or there was a violation.

Supervisor Livsey said there is a sign that says "Dusk to Dawn the park is closed" and the area is taped off.

SUPERVISOR'S REPORT

Supervisor Livsey received a letter from the Office of the Aging thanking the Town for their contribution to the Volunteer Recognition Program.

Supervisor Livsey received a letter from O'Neill High School pertaining to the graduation. The Supervisor asked Council Member Edsall to represent the Board at the graduation ceremony.

Supervisor Livsey read a letter from Neighboring Landscaping offering to maintain abandoned properties for a minimal fee.

TOWN BOARD

JUNE 10, 2013

Mr. Rider said the property owners should be given a violation so some of the money can be recovered.

Supervisor Livsey said that Mr. Rodway, on Mine Dock Road, is applying for a Special Exception Use Permit for his property.

Supervisor Livsey thanked Ms. Blauvelt for all her work with the Workplace Violence training.

Supervisor Livsey said it is expected that the temporary water main for services will be complete next week. The Supervisor said the pressure testing and disinfecting of the temporary Drew Road lines are done. Supervisor Livsey said the Drew Road wells will need to be shut off and the home owners will be responsible for shutting off the supply lines inside their homes to prevent back feeding the system once the temporary system is activated. The Supervisor said that all should be completed in 3 weeks.

Supt. Squicciarini said that may not be entirely accurate.

Supervisor Livsey said he received a letter from Homeland Towers requesting the Board respond to the letter to confirm or deny the Town's approval about the Mine Dock Road and Peacedale Cemetery sites. The Supervisor said he is not sure about the address for Mine Dock Road and the letter also mentions the Highway Garage on 9W.

Supervisor Livsey asked if Mr. Rider could reply to the letter stating that the Town is cooperating with this.

Mr. Rider said he can do that, but Planning & Zoning Boards will need to know how the Town is cooperating with Homeland Towers.

The Board held a lengthy discussion on this and whether or not to explore alternative sites

Council Member Gunza made a motion seconded by Council Member Stradley to continue to explore alternative sites for the Homeland Towers project.

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

Supervisor Livsey informed everyone that there will be construction on the Popolopen Bridge and it will last approximately 6 months.

Supervisor Livsey said the Assessor's term expires on September 30 and Orange County has asked what the Town plans to do. The Supervisor asked if there were any advertisement requirements.

TOWN BOARD

JUNE 10, 2013

Mr. Rider said he is not aware of any advertisement requirements.

Supervisor Livsey said that the Town will do their best to get water to the Fort Montgomery School.

Supervisor Livsey said the Holiday Inn Express paid their water bill under protest and they did not pay the entire amount.

Supervisor Livsey said the Town is still working on getting the gazebo at Brooks Park. The Supervisor said residents can rent the pavilion for \$20. Supervisor Livsey said the park opens at 7am and closes at dusk; parking is limited; grills are available; renters are responsible for taking their garbage from the park; smoking, drinking and loud music is prohibited.

ATTORNEY'S COMMENTS

Mr. Rider said the Dog Control update will be available for action at the next meeting.

Council Member Gokey asked about the Weyant Road dedication.

Mr. Rider said that it is complete.

UNFINISHED BUSINESS

Health Insurance:

Ms. Blauvelt said that she had been researching different health insurance plans and found CDPHP which looks very favorable and would save the Town a significant amount of money.

Council Member Edsall suggested having an Open House for the employees to hear about the plan and ask questions.

Supervisor Livsey agreed with Ms. Blauvelt and the Board.

NEW BUSINESS

Mr. Squicciarini said that the turn around on Fawnwood Rd is too small for larger vehicles and he would like to restrict parking there.

Supervisor Livsey said the only way to restrict parking there is to do a Local Law.

Mr. Squicciarini would like no parking on either side in the turnaround.

TOWN BOARD

JUNE 10, 2013

Supervisor Livsey asked Ms. Peterson to notify the residents of Fawnwood about this and said that Mr. Squicciarini would provide her with the information needed.

Council Member Stradley made a motion seconded by Council Member Gunza to schedule a public hearing for Local Law #1 of 2013 to prohibit parking on Fawnwood Lane.

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

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

Time Warner Telephone Proposal:

Ms. Blauvelt said she received a proposal from Time Warner Cable to handle the Town's telephone service. Ms. Blauvelt said this would save the Town \$806 per month. Ms. Blauvelt said the IT Department is on Board.

Supervisor Livsey asked if the Board was comfortable with this.

Council Member Gokey made a motion seconded by Council Member Stradley to accept the proposal from Time Warner Cable for telephone service.

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

Police Personnel:

Resignations:

Supervisor Livsey read the resignations from Officer Burr and Officer Luba.

Council Member Stradley made a motion seconded by Council Member Edsall to accept the resignations from Officers Burr and Luba.

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

Hires:

Council Member Gunza made a motion seconded by Council Member Gokey to hire Barbara Hogan as a part-time Police Officer at the beginning salary and maximum probationary period.

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

Council Member Gunza made a motion seconded by Council Member Gokey to hire Andrew Polay as a part-time Police Officer at the beginning salary and maximum probationary period.

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

TOWN BOARD

JUNE 10, 2013

MS4 Report:

Supervisor Livsey said the MS4 Annual Report is available in the Town Clerk's office and it is also posted on the website.

Building Department Land Fill Permit:

Supervisor Livsey made a motion seconded by Council Member Gunza to table this matter until the next Town Board meeting.

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

Public Bids for Sanitation:

Supervisor Livsey announced that the Town advertised for bids for an outside company to handle the Town's recycling and garbage disposal. The Supervisor said the bids showed it is less expensive to handle it in house.

Water Update (Mr. Squicciarini):

Mr. Squicciarini explained some changes that are being made to the project that he believes will be beneficial.

Mr. Squicciarini said Ms. Solan will look into what is happening with the old Dial-A-Bus.

PUBLIC COMMENT

Ed Magryta questioned the money in the A Fund again.

Mr. Rider said an investigation has started and there should be something available at the next meeting.

Mr. Squicciarini said the residents have a lot of issues with the cell towers and the Town needs to have all their ducks in a row.

Supervisor Livsey said the worst case scenario is they would sue the Holiday Inn Express.

EXECUTIVE SESSION

Council Member Stradley made a motion seconded by Council Member Edsall to go into executive session to discuss the Custodian, Water District #2 legal issues and Kreiger Road acquisition. The Board went into executive session at 9:04pm.

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

TOWN BOARD

JUNE 10, 2013

Council Member Edsall made a motion seconded by Council Member Stradley to close the executive session. Executive session closed at 10:00pm.

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

ADJOURN

Council Member Gunza made a motion seconded by Council Member Gokey to adjourn the meeting. Meeting adjourned at 10:01pm.

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

Attest,

RESOLUTION
OF
JUNE 10, 2013

A RESOLUTION TO INTRODUCE AND SCHEDULE A
PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS CONCERNING
THE ENACTMENT OF A LOCAL LAW ADDING SECTION 134-18
"PARKING PROHIBITED AT ALL TIMES" TO CHAPTER 134
ENTITLED "PARKING" OF THE CODE OF THE TOWN OF
HIGHLANDS: FAWNWOOD LANE

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

BE IT RESOLVED, that INTRODUCTORY LOCAL LAW NO. 1 OF 2013 entitled "A Local Law Adding §134-18 'Parking Prohibited at All Times' to Chapter 134 entitled 'Parking' of the Code of the Town of Highlands: Fawnwood Lane" 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 June 24, 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.

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 June 10, 2013.

June Patterson, Town Clerk

RESOLUTION

OF

JUNE 10, 2013

A RESOLUTION TO AUTHORIZE EXPENDITURE
FROM THE TOWN HALL REPAIR RESERVE FUND
FOR RETAINING WALL

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

WHEREAS, the Town Board of the Town of Highlands pursuant to Section 6-d(2) of the General Municipal Law of New York State heretofore established a capital reserve fund for the purpose of making capital repairs to Town Hall, known as the Town Hall Repair Reserve Fund; and

WHEREAS, the Town Board desires to authorize the expenditure of Twenty Two Thousand and 00/100 Dollars (\$22,000.00) from said capital reserve fund related to a poured concrete retaining wall in support of the building and bridge to the rear of Town Hall; and

WHEREAS, a Public Hearing was duly held on the 10th day of June, 2013 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 reserve fund expenditure; and

WHEREAS, the expenditure from said reserve fund 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.

NOW, THEREFORE, BE IT RESOLVED, an expenditure not to exceed the sum of Twenty Two Thousand and 00/100 Dollars (\$22,000.00) is hereby authorized from the Town Hall Repair Reserve Fund to make repairs related to a poured concrete retaining wall in support of the building and bridge to the rear of Town Hall.

BE IT FURTHER RESOLVED, that the foregoing 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, 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 June 10, 2013.

June Patterson, Town Clerk