

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, February 23, 2015 at Town Hall, 254 Main Street, Highland Falls, NY at 7:00pm.

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

ABSENT: James Stradley ---- Council Member

Supervisor Livsey opened the meeting at 7:00pm.

PUBLIC COMMENT

There was no public comment.

MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from the February 9, 2015 Town Board meeting.

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

MISC.

Water Project:

Supervisor Livsey announced that he was going to go off the agenda.

Supervisor Livsey recognized John Sarcone, the Water Trust Attorney. The Supervisor said the last easement was obtained tonight and the Town is set to move ahead with the project. The Supervisor said he will need a motion to go out to bid.

Council Member Edsall made a motion seconded by Council Member Voltaire to go out to bid for Phase II of the Potable Water Extension Project.

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

COMMUNICATIONS

Supervisor Livsey has an amendment to the Brooks Park Development Project which has been extended until the end of 2015. The Supervisor said this is the last extension available and there is approximately \$16,000 left to spend.

Supervisor Livsey received a letter from the Board of Elections.

Town Clerk Patterson said that had been taken care of.

Supervisor Livsey said the Comptroller has informed him that she has downloaded the software to prepare the AUD and will begin giving the Board bi-weekly updates. The Supervisor said the AUD deadline is March 31 unless an extension is granted.

FINANCIAL REPORTS, REQUESTS & RESOLUTIONS

EMT Probation:

Supervisor Livsey stated that EMT Angela Hoehmann has been removed from probation.

Council Member Gunza asked if this was known before it happened.

Supervisor Livsey said Ms. Hurst notified Capt. Stroppel.

Budget Transfer:

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$321 from Highway Snow & Ice Material to Highway Garage Utilities.

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

Accounts Payable:

Supervisor Livsey said the Trust & Agency payment was \$258; the Water District #2 payment was \$351.51 and the General Accounts Payable payment was for \$233,829.10.

Sewer Plant Operator:

Supervisor Livsey asked the Town Clerk how many applications were received and also asked Council Member Edsall to get together with Bob Held to look at them.

Monster Bike Race:

Supervisor Livsey said the Monster Bike Race, which runs from New York City to Bear Mountain and back will be held on May 18.

Chinese New Year:

Supervisor Livsey said an invite has been received to celebrate the Chinese New Year on February 28 at the Wawayanda Senior Center from 2-4:30pm.

Senior Center:

Supervisor Livsey said Fran Galu was supposed to come to tonight's meeting to talk about the Senior Center, but she was unable to make it. The Supervisor said Ms. Galu will be at the next meeting. The Supervisor said Ms. Galu asked what money was available for the Senior Center and he informed her there was \$2,000 earmarked in the budget for it.

BOARD REPORTS

Council Member Edsall:

Council Member Edsall said the Sewer District issues will be discussed later.

Council Member Edsall reported that John Hager provided him with a report that he submitted to the State and it has some interesting information on it.

Council Member Gunza:

Council Member Gunza said Chief Quinn sent an email informing the Board that he attended a meeting about Storm King Mountain. Ms. Gunza said a digital sign will be placed at the bottom of the mountain on both sides to notify motorists of dangers and/or closures.

Council Member Gunza said the police are taking part in NARCAN training tonight.

Council Member Voltaire:

Council Member Voltaire reported that she attended the Association of Town, Villages & Cities meeting where Orange & Rockland prices were discussed. Ms. Voltaire said the local association is considering legal action and will be asking the municipalities for monetary support.

Supervisor Livsey said they have already asked for support and he responded that the Town would not be able to financially support this.

Council Member Voltaire said she attended the Association of Towns Conference and brought back information.

Council Member Voltaire reminded everyone that the deadline for exemptions is March 1 and the Assessor's Office will be open this Saturday.

Council Member Voltaire stated that the School Board has not hired a Superintendent yet and that they are discussing Capital Projects for the buildings.

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Council Member Voltaire said Fairfunding will be holding an event on March 26 at 6:30pm at the Monroe Woodbury High School.

Council Member Voltaire said there will be a Volunteer Recognition Luncheon at the Park Restaurant on March 28 from 11:30am to 1:30pm and she will be the MC.

SUPERVISOR'S REPORT

Supervisor Livsey asked Mr. Rider if he had the Halmar agreement.

Mr. Rider said the owner is going to bring it in.

Supervisor Livsey said Babe Ruth baseball has been having their tryouts at the Gillis Fieldhouse on West Point for many years and this year they were informed that they would need to pay \$250 per hour plus utilities. The Supervisor said the League refused to pay this and the tryouts will be held at Sacred Heart gym. The Supervisor said he will be authorizing Jim Willis to offer a small sum for the use of the gym.

Supervisor Livsey said he attended a press conference at the bookstore on the Palisades Parkway this morning. The Supervisor said the purpose of this was for the Assemblymen to ask DOT to do something with the North end of the Parkway.

Chief Quinn:

Chief Quinn reported that, as of tonight, seven of his officers are trained in the use of NARCAN and the rest will attend their training on Thursday, along with some Village Police Officers. The Chief said they will be offering the training to the public and if anyone is interested they should contact him.

Supervisor Livsey asked how the public would get the NARCAN.

Chief Quinn said it would be provided to them free of charge.

Chief Quinn said he attended a meeting, Storm King Roundtable, to discuss the Town's concerns with the closing/maintenance of Storm King Mountain. The Chief said many solutions were discussed. The Chief said communications is also an issue and Cornwall has an app that will hopefully be available to the Town for free.

Mutual Aid Agreement Town & Village:

Chief Quinn has a copy of a Memorandum of Agreement between the Town and Village Police. The Chief said he feels there is no benefit to the Town with this agreement and if called, the police will respond. The Chief asked Mr. Rider to look at this.

Supervisor Livsey said he didn't think it was necessary.

Mr. Rider said he would review this agreement.

Chief Quinn said he tried to reach out to the Provost Marshall's office, but was unable to speak to the person. The Chief would like to hold off on this for now.

Supervisor Livsey said he didn't put it on the agenda.

Sewer Operator Resignation:

Supervisor Livsey received a letter of resignation from Daniel Peterson, Sewer Plant Operator.

Council Member Edsall said he would like to table this until it is known if he will stay on until a replacement is found.

Council Member Edsall made a motion seconded by Council Member Gunza to table accepting Mr. Peterson's resignation until a later date.

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

Village Consolidation Grant:

Supervisor Livsey said there is no actual application and the Town can't support it if they don't know what is being asked for. The Supervisor asked Mr. Rider to look into this.

Supervisor Livsey tabled this matter.

Engineer's Report – Overlook Pump Station:

Supervisor Livsey asked Mr. Rider to look further into this and get back to the Board.

Mr. Rider said he was contacted by the attorney and will speak to him.

Council Member Edsall said there are some liabilities and he would like to discuss this in executive session.

Supervisor Livsey said there will be an executive session at the next meeting to discuss this.

Fusco Engineering Agreement:

Mr. Rider said the key concern of the Town initially was the lump sum. Mr. Rider said the agreement has been changed to reflect time and materials with a not to exceed amount. Mr. Rider said this is solely related to the Fort Montgomery Sewer Improvement Area.

Supervisor Livsey said the State is encouraging the Town to go through with the contract.

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Council Member Edsall made a motion seconded by Council Member Voltaire to adopt the resolution authorizing engineering retainer agreement for the Fort Montgomery Sewer Improvement Area improvements.

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

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

Town Ordinance – Dogs Prohibited in Cemeteries:

Supervisor Livsey received a letter from Ned Kopald about a tree limb hanging in the cemetery. The Supervisor referred this to Mr. Patterson.

Supervisor Livsey said Mr. Kopald would like the Board to do an ordinance prohibiting dogs from being in the cemeteries. The Supervisor asked Mr. Rider if this was something the Board could do.

Mr. Rider said he would look into that.

Supervisor Livsey asked the Board if this is something they would like to do.

Council Member Gunza suggested getting the opinion of the Cemetery Board.

Supervisor Livsey said he would contact Joe McCormick.

Supervisor Livsey tabled this matter.

Space Use Agreement:

Council Member Gunza made a motion seconded by Council Member Voltaire to authorize the Supervisor to sign the Space Use Agreement with Orange County.

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

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

PUBLIC COMMENT

There was no public comment

ADJOURN

Council Member Voltaire made a motion seconded by Council Member Gunza to adjourn the meeting. Meeting adjourned at 8:05pm.

RESOLUTION

OF

FEBRUARY 23, 2015

A RESOLUTION OF THE TOWN BOARD
AUTHORIZING ENGINEERING RETAINER
AGREEMENT: FMSIA IMPROVEMENTS

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

WHEREAS, the engineering firm of Fusco Engineering & Land Surveying, P.C. (“Fusco”), has offered to provide engineering services to the Fort Montgomery Sewer Improvement Area in accordance with the Agreement attached hereto as Exhibit A (the “Agreement”); and

WHEREAS, the Agreement provides a schedule of fees for the associated services; and

WHEREAS, the Agreement 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 has reviewed the terms and conditions of the aforesaid Agreement and finds the Agreement acceptable.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town of Highlands Supervisor is hereby authorized to enter into for and on behalf of the Town of Highlands, the Agreement with Fusco.
2. That 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, all such certificates, agreements, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and agreements.
3. 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	Absent
June Gunza, Councilwoman	voting	Aye
Adrienne Voltaire, 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 23, 2015.

June Patterson, Town Clerk

RESOLUTION

OF

FEBRUARY 23, 2015

**RESOLUTION TO AUTHORIZE THE SIGNING OF THE
SPACE USE AGREEMENT FOR THE USE OF THE
HOLY INNOCENTS CHURCH FOR SENIOR DINING**

Council Member moved the following which was seconded by Council Member .

BE IT RESOLVED, that Supervisor Livsey is hereby authorized to sign the Space Use Agreement for the use of the Holy Innocents Church for the Senior Dining Program.

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

Mervin R. Livsey, Supervisor	voting:
June Gunza, Council Member	voting:
Adrienne T. Voltaire, Council Member	voting:
William Edsall, Council Member	voting:
James Stradley, Council Member	voting:

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 23, 2015.

June Patterson, Town Clerk