

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, March 9, 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.

SENIOR CENTER

Supervisor Livsey introduced Greg Ripa and Fran Galu who came to the meeting to discuss the new Senior Center.

Ms. Galu stated that the Senior Center will open on March 18 and the official Open House will be held on May 2. Ms. Galu gave the Board an update on the scheduled events and stated that volunteers are needed to help keep the doors open and lock up after events. Ms. Galu asked the Board if they would be able to help support some things.

Supervisor Livsey said the Town's budget has \$6,000 in it for the Nutrition Center, \$6,000 in it for bus trips and \$2,000 for the Senior Center. The Supervisor also stated that the \$600 a month paid to the church for senior dining could be given to the Senior Center if/when the lunches were held there.

Ms. Galu said there is no kitchen. Ms. Galu asked how she would request funds.

Supervisor Livsey said to speak to Ms. Blauvelt.

Mr. Ripa asked if the entire \$6,000 was used for bus trips.

Supervisor Livsey said there was originally \$8,000 in the budget, but the Board lowered it to \$6,000 because the original amount wasn't getting used.

MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from the February 23, 2015 meeting.

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

COMMUNICATIONS

Supervisor Livsey said he received an invitation to the Dream Catchers Benefit held by Hudson Valley DKI on April 9, at Anthony's Pier 9.

FINANCIAL REPORTS, REQUESTS & RESOLUTIONS

AUD Update:

Ms. Blauvelt reported that the AUD report is approximately 30% complete and she doesn't see the need for an extension.

Reserve Funds:

Supervisor Livsey stated that Ms. Blauvelt has transferred a total of \$100,500 into various reserve funds. (\$40,000 – Ambulance; \$10,000 – Sewer; \$15,000 – Police; \$10,000 – Town Hall Repair; \$10,000 – Roads; \$15,000 Sanitation Vehicle; \$500 Building Vehicle)

Accounts Payable:

Supervisor Livsey said the total Accounts Payable amount was \$563,501.89.

Resolution – Police Vehicle Reserve Fund:

Supervisor Livsey has a resolution to authorize an expenditure from the Police Car Reserve Fund to pay the first year of the lease on the new car.

Council Member Gunza made a motion seconded by Council Member Edsall to adopt the resolution authorizing an expenditure from the Police Car Reserve Fund.

RESOLUTION ADOPTED: **3-eyes (Livsey, Edsall, Gunza)**
 1-nays (Voltaire)
 1-absent (Stradley)

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

BOARD REPORTS

Council Member Edsall:

Council Member Edsall reported that the repairs have been made at the Sewer Plant and there will be a new hire later in the agenda.

Council Member Voltaire:

Council Member Voltaire reported the Center will be hosting a Community Parent's Club luncheon on March 28.

Council Member Voltaire said the Assessor's office is open on Saturdays from 9am – 2pm.

Council Member Voltaire stated the School Board has hired an interim Superintendent from March 16 through April 30 and the new Superintendent will begin on May 1.

Council Member Gunza:

Council Member Gunza stated that she went to the Sewer Plant and spoke to Mr. Held.

Council Member Gunza said the Police are doing well.

SUPERVISOR'S REPORT

Supervisor Livsey said he asked Chief Quinn to enforce the new Stop Signs at the top of Mountain Ave. The Supervisor said Chief Quinn spoke to someone on West Point about this and they might put digital signs up.

Supervisor Livsey said the Mine Dock Committee met on Saturday and they would appreciate any volunteers.

Supervisor Livsey stated that Capt. Stroppel will be hiring new EMTs and he will be holding the interviews soon. The Supervisor said the Ambulance Corps is also looking for volunteers.

GENERAL BUSINESS

Resolution – Removing PCBs from River:

Supervisor Livsey said he received a request for the Board to pass a resolution to remove PCBs from the Hudson River. The Supervisor said the Board already did one in December 2014 and he doesn't like the new one.

Mr. Rider said he is not happy with the new resolution and the Board already showed their support with the previous resolution.

The Board agreed not to adopt the new resolution.

Resolution – Tax Cap Reform:

Supervisor Livsey said while he sees the Tax Cap Law as good, it is getting increasingly harder to stay under.

Mr. Rider said the resolution asks that the provisions are looked at.

Council Member Edsall said he appreciates the pressure the law puts on governments.

Council Member Voltaire said it needs to be amended.

Council Member Gunza said the law holds the governments' feet to the fire, but also prevents things from getting fixed.

Council Member Voltaire made a motion seconded by Council Member Gunza to adopt the resolution to request reform: New York State Tax Cap Law.

RESOLUTION ADOPTED: **3-eyes (Livsey, Gunza, Voltaire)**
 1-nays (Edsall)
 1-absent (Stradley)

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

Dial-A-Bus Executive Policy:

Supervisor Livsey said he needs authorization to sign the Safety Policy for the Dial-A-Bus.

Council Member Edsall made a motion seconded by Council Member Voltaire to authorize Supervisor Livsey to sign the Safety Policy for the Dial-A-Bus.

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

Sewer Plant Hire:

Supervisor Livsey stated the Sewer Plant needs to be manned by at least two (2) people and there is only one (1) now.

Supervisor Livsey said the position was advertised and there were three (3) applicants. Supervisor Livsey said one did not have the proper license and the other two were interviewed the first time this position was available. The Supervisor said Mr. Held, the Chief Operator, is recommending the Board hire James Kiernan to fill this position.

Council Member Edsall said the resignation of Daniel Peterson was never accepted by the Board.

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Council Member Edsall made a motion seconded by Council Member Voltaire to accept the resignation of Daniel Peterson, Sewer Plant Operator, effective immediately.

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

Council Member Edsall made a motion seconded by Council Member Gunza to hire James Kiernan as a part-time Wastewater Treatment Operator at the salary set in the salary schedule and at the maximum probation.

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

Chief Quinn:

Chief Quinn said the new car should be picked up on Wednesday and he commended Det. Bailey for his work in getting what they wanted.

Chief Quinn stated that if anyone from the public is interested in taking the NARCAN class on April 2, they must sign up in advance.

Chief Quinn said he notified the DOT of the potholes on 9W.

Chief Quinn stated that the site "Status of Storm King" on Facebook is a good site to check for anything on Storm King Mountain and he will try to update it as necessary.

Chief Quinn said he will be meeting with the Orange County Youth Bureau about the \$5,000 grant he received. The Chief said he is looking into a Youth Court which will be done in Stony Point. The Chief stated he will update the Board when he has the paperwork.

Chief Quinn stated that West Point will make notification on their channel reminding people to stop at the new Stop Signs.

Chief Quinn said he is working with the PBA to put together a women's self-defense class. The Chief is hoping to hold it in May.

Supervisor Livsey informed the Chief that there is a street light out on Mine Road and asked for his Officers who notice a light out to please get the pole number and report it to Lori Hurst.

Chief Quinn said he has the form to use for that.

Council Member Voltaire said the Orange County Youth Bureau has put out a brochure with stuff available.

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PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

Council Member Edsall made a motion seconded by Council Member Voltaire to go into executive session to discuss: 1) PBA pay raise grievance; 2) Ft. Montgomery Sewer Improvement District update (Storms); 3) Consumer complaint to NYS Attorney General (Ambulance Billing). Board went into executive session at 7:45pm.

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

Council Member Edsall made a motion seconded by Council Member Gunza to close the executive session. Executive session closed at 8:45pm.

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

ADJOURN

Council Member Gunza made a motion seconded by Council Member Edsall to adjourn the meeting. Meeting adjourned at 8:46pm.

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

Attest,

RESOLUTION

OF

MARCH 9, 2015

A RESOLUTION TO AUTHORIZE
EXPENDITURE FROM THE
POLICE CAR RESERVE FUND

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

WHEREAS, the Town Board of the Town of Highlands pursuant to Section 6-e of the General Municipal Law of New York State heretofore established a certain capital reserve fund for the acquisition of police cars known as the Police Car Reserve Fund; and

WHEREAS, the Town Board desires to authorize the expenditure of an amount not to exceed Eleven Thousand Seven Hundred Five and 80/100 (\$11,705.80) Dollars from said capital reserve fund to pay the first year of the lease on a new police car; and

WHEREAS, the transfer of funds 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 Eleven Thousand Seven Hundred Five and 80/100 (\$11,705.80) Dollars is hereby authorized from the Police Car Reserve Fund to pay the first year of the lease for the new police car; and

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	Absent
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Nay
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 March 9, 2015.

June Patterson, Town Clerk

RESOLUTION

OF

MARCH 9, 2015

A RESOLUTION TO REQUEST REFORM:
NEW YORK STATE TAX CAP LAW

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

WHEREAS, New York State is in the process of considering extending the Tax Cap Law, and

WHEREAS, it is the consensus of the Town of Highlands Board that as currently designed the tax cap makes it virtually impossible for Towns, Villages and Cities to meet the laws criteria due to mandated expenses such as ever increasing cost of pensions and health care which consumes most of the allowable cap and should, therefore, be exempted from the tax cap law, and

WHEREAS, the present tax cap law severely restricts elected officials in the Towns, Villages and Cities of Orange County from performing their fiduciary duties to their residents to effectively provide for:

- Infrastructure improvements and repairs;
- Road maintenance, repair and renovation, as well as snow removal, which are all required to make streets safe for travel;
- Capital projects and infrastructure improvements in utilities, transportation, communication that are required to improve quality of life and grow our economy and bonding decisions are subject to permissive referendum providing residents a mechanism for residents to reject an infrastructure investment by a local board;
- Expenses derived from consent orders and smart growth initiatives to make communities livable;
- Extraordinary expenses required to respond to public health emergencies and pandemic;

and, therefore, should be exempted from the tax cap law, and

WHEREAS, continued neglect of infrastructure, roads and renovations due to fiscal restraints will only result in dire conditions and more costly repairs and/or possible lawsuits, and

WHEREAS, we further recommend an amendment to the tax cap formula to address disincentives to offer PILOTS, as well as an amendment to address disincentives to consolidate services.

NOW, THEREFORE, BE IT RESOLVED that it is the sincere hope of the Town of Highlands Town Board that Governor Andrew Cuomo, members of the New York State Senate and members of the New York State Assembly give serious consideration to important recommendations for reforms of the Tax Cap Law that are hereby put forth, and

BE IT FURTHER RESOLVED that we respectfully request that the New York State representatives listed below advocate for the reforms hereby put forth:

Senator William J. Larkin, Senator, John Bonacic, Assemblyman James Skoufis, Assemblyman Karl Brabenec, Assemblywoman Aileen Gunther, Assemblywoman Claudia Tenney and Assemblyman Frank Skartados and we thank them for their due diligence in this matter.

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 T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Nay
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 March 9, 2015.

June Patterson, Town Clerk