

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, February 25, 2013 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

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

ABSENT:	Holly Gokey	----	Council Member
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Supervisor Livsey opened the meeting at 7:00pm.

Supervisor Livsey introduced Assemblyman James Skoufis.

Assemblyman Skoufis informed the public that, along with being available anytime by phone or email, he will also be at the Town Hall one (1) hour before the second Town Board meeting of the month. The Assemblyman also said he is working on a bill pertaining to Peace Officer status.

PUBLIC COMMENT

Greg Madigan thanked the Board for getting the dangerous tree removed from Mine Road.

Supervisor Livsey said it wasn't easy, but it got done.

James Ramus said that at the last meeting he asked the Board to pass a resolution opposing the "NY Safe Act" bill. Mr. Ramus provided more information for the Board so they would have a better understanding of the issue.

Adrienne Voltaire stated that she is in favor of the NY Safe Act.

Pharoby Ripa said she would like to see the State revisit the law and think it through more clearly.

Chris Byrnes said he agrees with Ms. Ripa and would like the Board to pass the resolution to repeal it. Mr. Byrnes said this law will not stop the dishonest people and he believes that the State should concentrate on getting illegal guns off the streets.

MINUTES

Council Member Edsall made a motion seconded by Council Member Stradley to approve the minutes from the February 11, 2013 meeting.

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

COMMUNICATIONS

Supervisor Livsey did not have any communications.

FINANCIAL

Accounts Payable:

Supervisor Livsey said the last A/P Register was for \$284,702.75 and for the Water District it was \$1,234.34.

Budget Transfer:

Supervisor Livsey has a request from the Comptroller to transfer \$4,870.50 from the Contingent Account to the Town Hall Repair and Renovation Account.

Council Member Gunza made the motion to transfer the money.

Council Member Edsall asked if the money could be taken out of the Town Hall Reserve fund.

Mr. Rider explained that this is a unique Reserve Fund that would require a public hearing to use the money.

Supervisor Livsey made a motion seconded by Council Member Edsall to set a public hearing to transfer \$4,870.50 from the Town Hall Reserve Fund to the Town Hall Repair and Reserve Fund on March 11, 2013 at 7:00pm.

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

AUD Update:

Supervisor Livsey reported that the Comptroller is working on the report and does not expect to need an extension.

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Highway Secretary:

Supervisor Livsey said at a recent executive session, there was a discussion about giving the Highway Secretary five (5) more hours per week.

Council Member Edsall made a motion seconded by Council Member Gunza to allow the Highway Secretary to work 25 hours per week through December 2013.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)

0-nays

1-absent (Gokey)

1-abstention (Stradley)

BOARD REPORTS

Council Member Edsall:

Council Member Edsall asked if a letter had been received from Chris Dyroff asking to be re-appointed to the Planning Board.

Supervisor Livsey said he had received the letter and it is on the agenda for later in the meeting.

Council Member Edsall said he had a conference call with Scenic Hudson and the Department of State about grant funding. Mr. Edsall was advised to go through the NYS Parks and Recreation for grant money. Mr. Edsall said it looks like good language changes have been made to the contract.

Supervisor Livsey said it says the Town would be responsible for any issues that occur after the take-over.

Council Member Stradley:

Council Member Stradley said Highway Supt. Squicciarini is recovering nicely from his surgery.

Council Member Stradley said the Recreation Department is busy.

Council Member Stradley reported that the Dial-A-Bus is running smoothly.

Supervisor Livsey asked Council Member Stradley to look into a possible problem with depositing Men's Softball money.

Council Member Gunza:

Council Member Gunza said she has a request from Capt. Stoppel that will be addressed later in the meeting.

Council Member Gunza reported that West Point had an exercise and tabletop discussion recently and the Town was well represented.

SUPERVISOR'S REPORT

Drew Road Association:

Supervisor Livsey said he received a call from the Drew Road Association informing him that they had no water and asking him if the Town could do anything. The Supervisor said the Town can't do anything unless there is a health issue, but he agreed to cooperate and assisted them in getting their water back.

Resolution on Second Amendment:

Council Member Gunza said she thinks it would be better if the vote took place with a full Board.

Supervisor Livsey said by tabling it, it would give the Board to review all three (3) resolutions and determine which one is the best.

This matter was tabled until the March 11, 2013 Town Board meeting.

Bids for Town Hall Parking Lot and Standby Power Systems:

Supervisor Livsey said the bids that were received were much higher than expected. The Supervisor said there is enough in the Sewer District budget to pay for the generator at the Sewer Plant. The Supervisor also stated that the Town is working to see if FEMA will pay for this and it is looking positive so far. The Supervisor said that maybe the bids could be accepted next week.

Council Member Edsall said he would like to see what FEMA does before accepting anything.

Council Member Gunza asked Assemblyman Skoufis if he could look into the 404 Program for the Town.

Assemblyman Skoufis said if it is the program he is thinking about, it takes a long time to get the money. Assemblyman Skoufis said he would follow up with this.

Collective Bargaining Agreement Town & Employee Association:

Supervisor Livsey said he does not have the agreement yet and he will put it on the agenda for the next meeting.

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Riverview Run:

Supervisor Livsey said at the last meeting, the River View Run was discussed, but never voted on.

Council Member Edsall made a motion seconded by Council Member Stradley to send a letter to the NYS DOT stating that the Town of Highlands has no objections to this race.

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

Supervisor Livsey asked the Town Clerk to handle this and to call Chief Quinn and ask him to send a letter also.

Water District 2 Update:

Supervisor Livsey announced that on March 28 at the Hotel Thayer there will be a meeting for the Drew Road Association with the Settlement Master about the litigation.

Supervisor Livsey said the tentatively schedule for the water project is: March 1 – advertise for bids; April 1 – bids opened at the Town Hall at 11:00am; Special meeting to approve the winning bid at Town Hall at 6:00pm; April 16 – award the bid; and by April 25, hopefully the contract will be signed and then shovels will be going in the ground. The Supervisor stressed that these dates were tentative.

Mr. Rider said that the dates might move a little.

Planning Board Member:

Council Member Edsall made a motion seconded by Council Member Stradley to appoint Chris Dyroff to the Planning Board for a 5 year term at the salary stated in the salary schedule.

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

NEW BUSINESS

Stratagem Security Monitoring Contract:

Supervisor Livsey has the contract for the security system for the Highway Garage and he would like the Board's permission to sign it.

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Council Member Stradley made a motion seconded by Council Member Gunza to authorize the Supervisor to sign the contract with Stratagem Security Monitoring.

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

Weyant Road Dedication:

Mr. Rider said the Board has the consent form to sign for the dedication of the road. Mr. Rider stated that all papers have been signed and everything is in order so once the Board signs the consent form, the Highway Supt. can take over the road.

Council Member Edsall made a motion seconded by council Member Stradley to sign the consent form for the dedication of Weyant Road.

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

Ambulance Billing for RMA's for Car Accident:

Capt. Stroppel said he would like to charge a fee when people refuse medical treatment at the scene of a motor vehicle accident. Mr. Stroppel explained that a lot of Ambulance Corps are doing this and he would like the Board's permission to do this also.

Council Member Edsall said it sounds good, but he does have concerns.

Mervin R. Livsey, Jr. said he would like the Board to approve this.

Council Member Edsall made a motion seconded by Council Member Gunza to approve billing for medical treatment refusals at motor vehicle accidents.

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

Griffin Valuation & Realty Service:

Mr. Rider said this is the firm that works with the Town in dealing with the certioris. Mr. Rider said there is a proposal from them and the cost seems prudent. Mr. Rider also said that a meeting was held with the School District and they will be paying half.

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Council Member Gunza made a motion seconded by Council Member Edsall to accept the proposal from Griffin Valuation & Realty Serviced.

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

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

Custodian:

Supervisor Livsey said that he and the Town Clerk met with the Town Hall Custodian to review his job description and how some things could be improved. The Supervisor said he considered this a counseling session and wanted it in the minutes.

PUBLIC COMMENT

Mervin Livsey, Jr. asked the Board to make provisions to assist under privileged children to participate in the Town's recreational programs.

Council Member Stradley said he will talk to Mr. Willis.

James Ramus said there is a Jessica's Law and he would like Senator Larking to draw up something that so the Town can have a sister act. Mr. Ramus said this law has to do with predators.

Mr. Ramus asked about the motion that was passed at the last meeting to combine Planning Boards.

Council Member Edsall said the motion was the Board supporting the consolidation of the Planning Boards at a future date.

Annie Scott applauded the Board for finally getting the water further in Fort Montgomey.

Chris Byrnes asked if the three (3) resolutions on the 2nd Amendment were available to the public.

Supervisor Livsey said if anyone wants a copy, they can see the Town Clerk.

Council Member Edsall made a motion seconded by Council Member Stradley to adjourn the meeting. Meeting adjourned at 7:55pm.

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

RESOLUTION
OF
FEBRUARY 25, 2013

A RESOLUTION OF THE TOWN BOARD
AUTHORIZING RETAINER AGREEMENT:
TAX CERTIORARI APPRAISALS

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

WHEREAS, the appraising firm of Griffin Valuation & Realty Services, Ltd. (“Griffin”), has offered to provide appraisal services related to the inspection of various real properties that are the subject of tax certiorari challenges in accordance with Article 7 of the Real Property Actions and Proceedings Law all as outlined in the exhibit attached hereto as Exhibit A (the “Proposal”); and

WHEREAS, the Proposal anticipates that all fees would be split between the Town of Highlands and the Highland Falls-Fort Montgomery Central School District; and

WHEREAS, the Town Board has reviewed the terms and conditions of the aforesaid Proposal and finds the Proposal acceptable.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town of Highlands Town Board is hereby authorized to enter into an agreement with Griffin to provide the services in accordance with the Proposal.
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 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 February 25, 2013.

June Patterson, Town Clerk