

TOWN BOARD

The town Board, Town of Highlands, held their re-organization and regular meeting on Monday, January 13, 2014 at Town Hall, 254 Main St, Highland Falls, NY at 7pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member
	June Gunza	----	Council Member
	Adrienne T. Voltaire	----	Council Member
	Justin Rider	----	Council Member
	Kelly Blauvelt	----	Comptroller
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7:00pm.

AWARD CEREMONY

The Town Board and Town Police honored three young boys for their heroic measures that saved one of the boy's lives. The boys were each presented with a certificate.

Supervisor Livsey welcomed everyone in attendance.

ELIGIBILITY & QUALIFICATIONS OF TOWN OFFICERS

Supervisor Livsey stated that all Town Officers are eligible and qualified to hold their offices.

OATH OF OFFICE

Supervisor Livsey stated that all the Elected Officials have taken their Oath with Justice Stewart.

INSURANCE

Supervisor Livsey said the Town's insurance expired on January 12 and because the proposal was not obtained in time to be approved at the last meeting, the Supervisor signed the agreement without Board approval. The Supervisor said the premium has gone up approximately \$5,000 and he would like the Board to ratify his signing of the agreement.

Council Member Edsall made a motion seconded by Council Member Stradley to ratify the Supervisor's signing of the 2014 insurance agreement.

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

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

VACANCIES

Supervisor Livsey said there are no vacancies in the Town.

APPOINTMENTS

1-year Appointments:

Supervisor Livsey made a motion seconded by Council Member Gunza to appoint Rider, Weiner & Frankel as Attorney's for the Town.

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

Supervisor Livsey said he has three proposals for Engineer and would like the Board to review before making an appointment.

Council Member Edsall made a motion seconded by Council Member Gunza to appoint John Hager as the Sewer Inspector.

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

Council Member Edsall made a motion seconded by Council Member Gunza to appoint Doug Willis as the Deputy Sewer Inspector.

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

Supervisor Livsey made a motion seconded by Council Member Gunza to appoint Kathy McGuinness as the Dog Control Officer.

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

Supervisor Livsey said the Orange County Department of Health will be the Health Officer for the Town.

Supervisor Livsey made a motion seconded by Council Member Gunza to appoint Kelly Blauvelt as the Budget Officer.

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

Supervisor Livsey made a motion seconded by Council Member Stradley to appoint Stella Bailey as the Town Historian.

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

TOWN BOARD

JANUARY 13, 2014

Supervisor Livsey made a motion seconded by Council Member Gunza to appoint Tim Connors as the Emergency Action Coordinator.

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

2-year Appointments:

Council Member Gunza made a motion seconded by Council Member Stradley to appoint James Patterson as the Highway Superintendent.

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

Supervisor Livsey said Mr. Patterson's salary is per the salary schedule with an additional \$4,000 when he receives his Class D water license.

Supervisor Livsey made a motion seconded by Council Member Edsall to appoint Kelly Blauvelt as the Comptroller.

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

Supervisor Livsey made a motion seconded by Council Member Edsall to appoint John Hager as the Code Enforcement Officer.

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

Supervisor Livsey made a motion seconded by Council Member Gunza to appoint June Patterson as the Registrar.

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

Supervisor Livsey made a motion seconded by Council Member Stradley to appoint Lesley Peterson as the Deputy Town Clerk and Deputy Registrar.

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

5-year Appointments

Supervisor Livsey made a motion seconded by Council Member Gunza to appoint Cathy Kelly to the Planning Board.

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

TOWN BOARD

JANUARY 13, 2014

Supervisor Livsey made a motion seconded by Council Member Edsall to appoint Timothy Donnery to the Consolidated Zoning Board of Appeals.

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

6-year Appointments:

Supervisor Livsey said the Village Board appointed Aaron Falk to the Recreation Commission.

SALARY SCHEDULE

Ms. Blauvelt said there were a couple of minor changes to the salary schedule.

Council Member Gunza made a motion seconded by Council Member Stradley to approve the 2014 Salary Schedule subject to any corrections needed.

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

Supervisor Livsey said Mr. Hager has asked for a raise for Irene Condoulis. The Supervisor said the Board can discuss that at a later meeting.

EMPLOYEE BENEFITS

Supervisor Livsey said the Employee Benefits are outlined in the Employee Handbook.

MILEAGE

Supervisor Livsey said the mileage reimbursement is .56 per mile.

Council Member Edsall made a motion seconded by Council Member Stradley to approve the mileage reimbursement rate of .56 per mile.

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

HOLIDAY SCHEDULE, LEAVE, VACATION, ETC.:

Supervisor Livsey said the leave and vacation benefits are outlined in the Employee Handbook.

Council Member Edsall made a motion seconded by Council Member Stradley to approve the 2014 Holiday Schedule.

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

TOWN BOARD

Meeting Procedures:

Supervisor Livsey said the Town Board meetings will be run according to Roberts Rules of Order.

Regular Meetings:

Supervisor Livsey stated that the Town Board meetings will be held the 2nd and 4th Monday of each month at 7pm and they will be televised.

Deputy Supervisor:

Supervisor Livsey appointed Council Member Gunza as the Deputy Supervisor.

Board Liaison Assignments:

Supervisor Livsey provided the Council Members with a list of their assignments.

Supervisor Livsey said he assigned Council Member Voltaire to the Village and School Board. The Supervisor asked Ms. Voltaire to work with Ms. Blauvelt to update the Employee Handbook.

Official Newspaper:

Supervisor Livsey made a motion seconded by Council Member Edsall to set the Official Newspaper as the News of the Highlands and/or the Times Herald Record.

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

Marriage Officer:

Council Member Edsall made a motion seconded by Council Member Gunza to appoint Supervisor Livsey as the Marriage Officer.

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

DESIGNATION OF DEPOSITORIES

Supervisor Livsey said the official Depositories for the Town are First Niagara and Chase.

PETTY CASH FUNDS

Supervisor Livsey said the following departments have petty cash funds: Court \$200 (\$100 for each Clerk), Town Clerk \$100, Recreation \$100 and Police \$200.

ACCOUNTING DUTIES

Supervisor Livsey said the accounting duties will be handled by the Comptroller.

PROCUREMENT POLICY

Supervisor Livsey said the Board has a copy of the policy and asked for a motion to approve it.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the Procurement Policy.

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

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

INVESTMENT POLICY

Council Member Edsall made a motion seconded by Council Member Stradley to adopt the Investment Policy.

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

OPENING OF COMPETITIVE BIDS

Supervisor Livsey stated that all competitive bids will be opened by the Supervisor and Town Clerk or their respective deputies.

ANNUAL AUDIT

Supervisor Livsey said Vanacore prepared the Town's audit last year for \$25,000 and they have put in a proposal to provide the same service this year for that same amount.

Council Member Edsall made a motion seconded by Council Member Stradley to hire Vanacore to do the Town's 2013 Annual Audit.

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

COMPTROLLER'S ANNUAL AUDIT

Supervisor Livsey stated that the Comptroller audits the Departments annually.

REVIEW OF EXISTING CONTRACTS

Supervisor Livsey read the list of contracts.

Supervisor Livsey asked about the contract for the Communication's Tower.

ANNUAL MEETING OF ASSOCIATION OF TOWN

Delegate and Alternate:

Supervisor Livsey asked the Board if anyone was going to the annual meeting. The Supervisor said because no one was going, the Board would not appoint a delegate or alternate.

Attendees and Expenses:

Supervisor Livsey said the Town would pay for room and transportation and reimburse the attendees up to \$50 a day for food with receipts.

REGULAR MEETING

PUBLIC COMMENT

None.

MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from the December 23, 2013 Town Board meeting.

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

GUEST

Supervisor Livsey welcomed County Legislator DiSalvo to the meeting and asked if he would like to speak.

Legislator DiSalvo said he just stopped by the say hi and good luck.

COMMUNICATIONS

Supervisor Livsey said the Legislature passed Local Law #14 of 2013 pertaining to hydro fracking.

Supervisor Livsey he received a letter from Linden Homes stating they were interested in hooking up to Town water.

Supervisor Livsey received a copy of the letter that Assemblyman Skoufis wrote about the Cornwall ER shutdown.

Supervisor Livsey said there was a water meeting recently and Phase II is moving along. The Supervisor said he expects the next phase to go out to bid in the near future and the project should be finished in September. The Supervisor said this phase will go from Brooks Ln to the School and also include four (4) houses behind the Catholic Church.

Supervisor Livsey reported that the 2013 election expenses were \$13,675.

Supervisor Livsey received a letter from Homeland Towers with a map of their expected coverage.

Supervisor Livsey received a request to discuss police department procedures and stated that will be brought up in executive session.

Supervisor Livsey received a letter from John Hager asking the Board to consider a raise for his secretary, Irene Condoulis.

FINANCIAL REPORTS, RESOLUTION & REQUESTS

Accounts Payable:

Supervisor Livsey said the two accounts payable amounts were \$34,118.47 and \$76,097.41, the Trust & Agency payment was \$195 and the two Water District #2 payments were \$1,056.02 and \$74,837.66.

BOARD REPORTS

Council Member Edsall:

Council Member Edsall reported that the Friends of Mine Dock Park held a meeting recently at Supervisor Livsey's establishment. Mr. Edsall said the Committee will have their re-organization meeting in March.

TOWN BOARD

JANUARY 13, 2014

Supervisor Livsey stated that he only provided a room for the meeting and that nothing was sold.

Council Member Edsall said he is concerned with the Sewer Plant with Mr. Willis' pending retirement.

Supervisor Livsey said the Board needs to sit down with Mr. Willis. The Supervisor also said that maybe it might be a good idea to sit with the engineer and ask for guidance because the plant is 30 years old.

Council Member Edsall reported that the new Highway Superintendent might be getting somewhere with the situation of the two poles at the Marina.

Council Member Gunza:

Council Member Gunza reported that the Ambulance Corps was very busy in 2013 and they broke the record for the most calls in a year by over 100.

Council Member Gunza thanked the Ambulance Corps, Police and Fire Departments for everything they do.

Council Member Gunza said Detective Kevin O'Connor is doing a great job as the schools' Resource Officer. Ms. Gunza also said the Police have completed all their OSHA training for the year.

Council Member Gunza received a letter from Capt. Stroppel which explained how the Police and Ambulance worked together recently and saved a life.

Council Member Gunza reminded all residents to call 911 in an emergency.

Supervisor Livsey reminded residents to number their houses.

Capt. Stroppel asked everyone to make sure their number is visible from the street.

Council Member Stradley:

Council Member Stradley had nothing to report.

Council Member Voltaire:

Supervisor Livsey explained to Council Member Voltaire about the Board reports.

Council Member Voltaire said she is learning and did not have anything to report tonight

Ambulance Corps:

Capt. Stroppel said he spoke to Supervisor Livsey and Council Member Gunza about the new ambulance. Mr. Stroppel said he has an ambulance that keeps breaking down and he can't use it. Mr. Stroppel stated that the warranty is good, but the parts for it are not being made. Mr. Stroppel said he has called the dealership and has not received a return call. Mr. Stroppel asked if Mr. Rider can help.

Supervisor Livsey asked Mr. Rider to see what he could do.

Highway Department:

Mr. Patterson said he has been getting complaints about garbage not being picked up in two of the trailer parks and upon checking the situation, he discovered the roads were not passable which explained why no pick up was done. Mr. Patterson is going to ask Mrs. Pitt to put an article in the paper reminding these parks to maintain their roads during a storm.

GENERAL BUSINESS

Police Car Purchase:

Supervisor Livsey said one police car is totaled and one is waiting to be sold. The Supervisor would like the Board to authorize him to lower the price of the for sale vehicle to \$3,000.

Council Member Gunza said the one that was totaled should be replaced and the dealer is holding one at the 2013 price.

Supervisor Livsey said there is \$4,000 in the Police Vehicle Reserve Fund to purchase this vehicle.

Council Member Gunza made a motion seconded by Council Member Stradley to authorize the purchase of a police car from the Police Vehicle Reserve Fund.

MOTION CARRIED: 5-eyes (Livsey, Edsall, Stradley, Gunza, Voltaire)

0-nays

Ms. Blauvelt asked if a resolution was needed for this.

Mr. Rider said he didn't think so, but he would check.

Ambulance District Personnel Hiring:

Supervisor Livsey has a request from Capt. Stroppel to hire two EMTs for the pool.

TOWN BOARD

JANUARY 13, 2014

Council Member Stradley made a motion seconded by Council Member Edsall to hire Angela Hoehmann and Rugayaa Green as EMTs at a salary of \$14.61 per hour and one year probation.

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

Water District #2 Distribution Operator Hiring:

Supervisor Livsey said he received a notice from Orange County informing him that the Town was in violation by not having anyone with a Class D water license. The Supervisor was informed by Mr. Patterson that he is scheduled to attend class in March and until then he would like the Board to hire John Sibley, a current Water Treatment Plant Operator for the Village of Highland Falls, to handle those duties.

Supervisor Livsey made a motion seconded by Council Member Edsall to hire John Sibley at \$50 an hour to handle water distribution, as needed, until Mr. Patterson obtains his license.

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

Town Website Provider:

Supervisor Livsey said the Town's website is bad and he asked Ms. Blauvelt to look into it.

Ms. Blauvelt said she heard back from two of the three companies she reached out to for a quote. Ms. Blauvelt said the lowest price was \$899 for set up and \$249 a year for the upkeep and that quote was from New Windsor IT.

Ms. Blauvelt also informed the Board that she has difficulty obtaining information from the departments to put on the website and would like the Board to stress how important this is to the departments.

Council Member Voltaire made a motion seconded by Council Member Stradley to hire New Windsor IT to set up the Town's website at an initial cost of \$899 and a yearly maintenance cost of \$249.

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

Supervisor Livsey asked Mary Jane Pitt to provide Ms. Blauvelt for some pictures for the website.

Ambulance District Billing Increase:

Supervisor Livsey has a request from Capt. Stroppel to increase the Ambulance District billing fees.

Capt. Stroppel said he just signed off on approximately \$50,000 in payments that were not received because Town residents refused to pay and he would like to see something in place to prevent this.

Council Member Gunza made a motion seconded by Council Member Voltaire to increase the Ambulance District fees from \$600 to \$625 per call and from \$10 to \$11 per mile.

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

Dumpster Fees:

Ms. Blauvelt said during the budget process she proposed increasing the dumpster fees. Ms. Blauvelt is suggesting raising them by 10% and she will provide the Board with the numbers.

Drug & Alcohol Testing Contract:

Supervisor Livsey has the new contract for the Drug & Alcohol testing. The Supervisor said the cost is \$40.50 per employee.

Council Member Edsall made a motion seconded by Council Member Stradley to authorize Supervisor Livsey to sign the new Drug & Alcohol Contract with Partners in Safety.

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

Highway Supt. Patterson recommended that anyone in a safety sensitive position be tested instead of just the CDL drivers.

Water District #2 SEQR:

Mr. Rider explained the SEQR is needed because of the increased scope of the project area. Mr. Rider said the project will now include piping to Brooks Lane which was not previously included.

Council Member Edsall made a motion seconded by Council Member Stradley to schedule a public hearing on February 10, 2014 at 7pm to receive comments concerning the increased scope of the project area.

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

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

Budget Transfers:

Ms. Blauvelt asked the Board if they were going to approve her budget transfers.

Supervisor Livsey stated that the Board did not receive any budget transfers for this meeting.

Ms. Blauvelt said there are two big items that she would need approved tonight. Ms. Blauvelt said the Police salary is over budget by approximately \$27,000 and the Town Hall Renovations budget is over budget because of the back parking lot.

Council Member Edsall said he is concerned about the Police budget being that far over budget.

Ms. Blauvelt said there were circumstances that caused this.

Supervisor Livsey said better tracking of the police budget is needed in 2014.

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$27,000 from the B-Contingent fund to the Police salary line.

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

Council Member Edsall made a motion seconded by Council Member Stradley to transfer \$11,893 from the Officials Liability fund to Town Hall Renovations and to transfer \$1,688.81 from General Liability fund to Town Hall Renovations.

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

MISCELLANEOUS

Supervisor Livsey reported that the canopy has been installed over the back door of the Town Hall, completing the water proofing of the basement.

Ms. Blauvelt asked the Board to approve funding the Employee Accrued Liability Fund with \$12,937.46 from the General Reserve Fund.

Council Member Voltaire made a motion seconded by Council Member Stradley to approve the transfer of \$12,937.46 from the A-fund Reserve Fund to the Employee Accrued Liability Reserve Fund.

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

TOWN BOARD

JANUARY 13, 2014

Council Member Edsall made a motion seconded by Council Member Stradley to expend \$12,937.46 from the Employee Accrued Liability Fund.

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

PUBLIC COMMENT

County Legislator DiSalvo stated that he will be trying to attend one Board meeting a month in the Town and Village. Mr. DiSalvo provided everyone with his contact information.

Annie Scott welcomed Council Member Voltaire to the Board.

EXECUTIVE SESSION

Council Member Edsall made a motion seconded by Council Member Stradley to go into executive session to discuss Highway and Police personnel issues. Board went into executive session at 8:20pm.

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

Council Member Edsall made a motion seconded by Council Member Stradley to close the executive session. Executive session closed at 9:01pm.

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

ADJOURN

Council Member Edsall made a motion seconded by Council Member Stradley to adjourn the meeting. Meeting adjourned at 9:02pm.

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

RESOLUTION
OF
JANUARY 13, 2014

A RESOLUTION TO RATIFY
TOWN OF HIGHLANDS INSURANCE POLICY 2014

Councilman Member **Edsall** moved the following resolution which was seconded by Councilman Member **Stradley**.

WHEREAS, the Town Board of the Town of Highlands has agreed to acquire comprehensive insurance for 2014 through CLG Insurance in accordance with the Business Insurance Summary attached hereto as Exhibit A; and

WHEREAS, the Supervisor and Comptroller negotiated the terms of the new insurance policies.

NOW, THEREFORE, BE IT RESOLVED, that the acquisition of insurance and the negotiation of terms by the Supervisor and Comptroller is hereby ratified and authorized.

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
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 January 13, 2014.

June Patterson, Town Clerk

RESOLUTION

OF

JANUARY 13, 2014

RESOLUTION OF SEQR AMENDMENT TO DETERMINATION
TOWN OF HIGHLANDS WATER DISTRICT #2
DISTRIBUTION SYSTEM EXTENSION #1
AND INCREASE OF MAXIMUM EXPENDITURE
PURSUANT TO ARTICLE 12-A OF THE TOWN LAW

Council Member **Edsall** presented the following resolution which was seconded by Council Member **Stradley**.

WHEREAS, Town of Highlands Water District #2 was established in August, 2000, and was subject to a maximum expenditure of \$3,700,000 by order of the Department of Audit and Control of the New York State Comptroller's Office; and

WHEREAS, the initial work done in Water District #2 did not fully build out the system and the proposed infrastructure; and

WHEREAS, a map, plan and report dated June 13, 2011 has been duly prepared according to law by J.R. Folchetti & Associates, L.L.C., in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Highlands relating to the new facilities to be placed within the existing district; and

WHEREAS, said map, plan and report showing the facilities involved together with the boundaries of the District has been filed in the office of the Town Clerk of said Town, where the same is available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the Town Board of the Town of Highlands has caused a full Environmental Assessment Form (the "EAF") to be prepared for the proposed Water District #2 distribution system extension and increase of maximum expenditure pursuant to Article 12-A of the Town Law (the "Action"); and

WHEREAS, the Town Board determined to conduct a coordinated review of the Action and wherein a notice of intent to declare lead agency was circulated on or about June 15, 2011; and

WHEREAS, the Town Board declared itself lead agency on July 25, 2011; and

WHEREAS, the Town Board of the Town of Highlands adopted a order on the 28th day of November, 2011 ordering a public hearing to be held on the 12th day of December, 2011 at 7:00 o'clock p.m., prevailing time, to hear all interested parties on the Action; and

WHEREAS, the Town Board has heretofore reviewed the EAF together with any other supporting information, and analyzed and considered any relevant areas of environmental concern and the probable environmental impacts of the Action to determine if the Action may have any significant adverse environmental effects; and

WHEREAS, the Town Board of the Town of Highlands adopted a negative declaration on December 27, 2011; and

WHEREAS, during the construction of the project and during a proposed additional phase as a result of leftover funding, the Town Board in conjunction with the Settlement Trust is able to modestly increase the scope of the project area to include infrastructure on Brooks Lane and the Tonneson Backlot area; and

WHEREAS, the increased infrastructure is in areas similar to the prior construction, does not exceed the maximum expenditure for the district and is within the geographic boundary of Water District #2.

NOW THEREFORE, BE IT RESOLVED:

The Town Board does determine to amend its proceedings under SEQR to conduct a public hearing to receive comments concerning the increased scope of the project area on February 10, 2014 at 7:00 p.m. at the Town Hall located at 254 Main Street, Highland Falls, New York, and The Town Board shall notify all interested and involved agencies and 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 SEQRA and 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
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 January 13, 2014.

June Patterson, Town Clerk

RESOLUTION

OF

January 13, 2014

A RESOLUTION TO ADOPT PROCUREMENT GUIDELINES

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

WHEREAS, LEGISLATION RAISING THE GML, SEC 103 BIDDING LIMITS TO \$20,000 AND \$35,000 FOR PURCHASE AND PUBLIC WORKS CONTRACTS, RESPECTIVELY, EFFECTIVE JUNE 22,2010, REQUIRES LOCAL GOVERNMENTS TO ADOPT PROCUREMENT POLICIES FOR PURCHASES AND CONTRACTS FOR SERVICES THAT ARE NOT SUBJECT TO COMPETITIVE BIDDING; AND

Whereas, section 104-b of the GML requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, sect 103 or any other law; and

Whereas, comments have been solicited from those officers of the Town involved with procurement; now, therefore, be it

Resolved; that the Town of Highlands does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, sect 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter purchaser) shall estimate at the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed \$20,000 in the fiscal year or b) public works contracts over \$35,000 shall be formally bid pursuant to GML, sect 103.

Guideline 3.

<u>Goods&Services Dollar Amount</u>	<u>Procedure</u>	<u>Public Works Dollar Amount</u>
Up to \$250	No competition required.	Up to \$250
\$251 - \$1,000	Documented solicitation of verbal or internet quotes from at least 3 sources. Purchase order required with approval of department head and comptroller.	\$251 - \$1,000
\$1,001 - \$2,500	Documented solicitation of verbal or internet quotes from at least 3 sources. Purchase order required with approval of supervisor and comptroller.	\$1,001 - \$2,500
\$2,501 - \$19,999	Written quotes from at least 3 sources. Purchase order required with approval of supervisor and comptroller.	\$2,501 - \$34,999
Over \$20,000	Subject to competitive bidding.	Over \$35,000

Purchases over \$250 must have a purchase requisition attached, signed by the Department Head and the Comptroller. Any purchase requisitions not approved by the Comptroller will not be processed for payment. In the absence of the Comptroller, the department liaison may approve the purchase requisition. Purchase requisitions over \$1,000 also require the signature of the Supervisor.

Any written RFP shall describe goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to procurement.

Guideline 6. Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- A) Acquisition of professional services;
- B) Emergency purchases;
- C) Single source situations;
- D) Goods purchased from agencies for the blind or severely handicapped;
- E) Goods purchased from correctional facilities;
- F) Goods purchased from another governmental agency;
- G) Goods purchased at auction;
- H) Goods purchased for less than \$250;
- I) Utility bills.
- J) Gasoline for vehicles.
- K) Software support agreements.
- L) Dues and subscriptions.
- M) Health insurance premiums.
- N) Social security and workers' compensation premiums.
- O) Unemployment insurance.
- P) Postage.
- Q) Election officials' fees.
- R) Payments on leases.
- S) Purchases from municipal contract.
- T) Vehicle repairs.

Guideline 7. For the purposes of this policy, the following definitions apply:

EMERGENCY: Emergency purchase is defined in Section 103.4, Article 5A of the General Municipal Law. An emergency is defined by the Town of Highlands as a situation which threatens lives, health or public property safety.

In the case of an emergency requiring immediate action, the department head responsible for that operation will assume charge for the operation. The department head must write a memorandum within 72 hours of the emergency detailing the event and any purchases made. The memorandum must be submitted to the Town Board, the Purchasing Agent and the Comptroller.

SINGLE SOURCE PROVIDER: A single source provider is a source specifically selected amongst others, if any, due to specific reasons, i.e. replacement parts, compatibility, quality, service, support, etc. Documentation must be provided which details the specific reasons the sole source provider was chosen.

Guideline 8. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

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**

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 special meeting of the Town Board, Town of Highlands, on January 13, 2014.

June Patterson, Town Clerk