

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, May 11, 2015 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
	Adrienne T. Voltaire	----	Council Member
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7:00pm.

School Board

Supervisor Livsey asked Council Member Voltaire to introduce her guests.

Council Member Voltaire introduced Toniel Spidel and Gus Koustourades from the School Board.

Ms. Spidel briefly spoke about the upcoming School Board vote and explained the different propositions that would be on the back of the ballot. Ms. Spidel said the budget would increase the tax levy by 1.4%, which is under the tax cap.

Council Member Edsall asked how the propositions were worded.

Ms. Spidel said the propositions were worded straight forward.

Supervisor Livsey said he met Ms. Spidel about four years ago and stated that she is a huge advocate for the school district. The Supervisor said Ms. Spidel will be leaving soon and he would like to thank her for everything she has done.

Mr. Koustourades stated that if investment is made in the school, the values will increase and there might be more people interested in attending our schools.

PUBLIC COMMENT

There was no public comment.

MINUTES

Council Member Gunza made a motion seconded by Council Member Edsall to approve the minutes from the April 27 Town Board meeting.

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

COMMUNICATIONS

Supervisor Livsey said he received a letter from the Association of Towns about the Municipal Energy Program.

Supervisor Livsey said the Dog Pound was inspected by NYS Department of Agriculture & Markets and received a satisfactory report.

Supervisor Livsey received a letter thanking the Town for the donation to the RSVP Luncheon.

Supervisor Livsey received a letter from Assemblyman Skoufis thanking Hwy Supt Patterson and his crew for all their work and also informed him that there is a small increase in the CHIPS money.

Supervisor Livsey stated that he received a letter from Richard Sullivan about a problem on his street. The Supervisor said Mr. Sullivan believes it could be sewer related and Mr. Held is looking into it.

FINANCIAL

Accounts Payable:

Supervisor Livsey said the total for the Accounts Payable was \$96,458.84.

Tax Freeze Efficiency Plan:

Supervisor Livsey was informed by Comptroller Blauvelt that she has filed the Tax Freeze Efficiency Plan.

Resolution – Transfer Money to Highway:

Supervisor Livsey stated that the money in the Sanitation Vehicle Repairs line has been used and he would like the Board to adopt a resolution to transfer \$25,000 from the General Reserve Fund to the Sanitation Vehicle Repair line for future repairs.

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Council Member Stradley made a motion seconded by Council Member Voltaire to adopt the resolution authorizing an expenditure from the General Reserve Fund to the Sanitation Vehicle Repair fund.

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

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

BOARD REPORTS

Council Member Voltaire:

Council Member Voltaire stated that if anyone needed an Absentee Ballot for the upcoming school vote, they needed to submit the application by tomorrow.

Council Member Voltaire reported that The Center will remain open and in their current spot, until the end of the year.

Council Member Voltaire said she attended the Mid-Hudson Substance Prevention meeting recently where they talked about whether to legalize marijuana or not.

Council Member Voltaire said May is busy for the Assessor's Office and she thanked Ms. Talman for all her work.

Council Member Gunza:

Council Member Gunza warned everyone that with the warm, dry weather comes brush fires and she cautioned everyone to be careful.

Council Member Gunza said this is National Police Officer Week and she said we should appreciate our Officers and she wished them well. Ms. Gunza said the police are keeping an eye on speeders on 9W.

Council Member Stradley:

Council Member Stradley had no report.

Council Member Edsall:

Council Member Edsall thanked Doris Lent for all she does.

Council Member Edsall said that he and Council Member Gunza attended the joint Planning Board meeting and it was a good meeting.

Council Member Edsall said he likes the art work in the Village.

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Council Member Edsall stated that he receives and reads the Ambulance Report each month.

Council Member Gunza said there will be another joint Planning Board meeting this month.

Jim Ramus, Village Planning Board Chair, stated that it will be the fourth Wednesday of this month at the Village Hall at 7pm.

SUPERVISOR'S REPORT

Supervisor Livsey stated that he recently got a new table for his office and many good meetings have taken place at it.

Supervisor Livsey said he spoke to MRS and he is trying to get them to get Town water to their residents. The Supervisor said it was a very proactive meeting.

Supervisor Livsey stated that he, along with representatives from the Village and Town, met with the Department of Labor to discuss prevailing wage. The Supervisor said the Town might need to change the bid process and some policies that aren't being done properly.

Supervisor Livsey said there will be a Health Insurance tomorrow at 10am.

Ms. Blauvelt said CDPHP decided the Town would not be allowed to fully fund the employees' HRA.

Supervisor Livsey said he invited Greg Maher, the Union Representative for the Highway, to the meeting.

Supervisor Livsey said there will be a meeting with Scenic Hudson and Assemblyman Skoufis on May 29.

Supervisor Livsey stated that Mr. & Mrs. Kinney have been working on the triangle by his house.

Supervisor Livsey said the Ambulance Corps has been busy.

UNFINISHED BUSINESS

Social Media Policy:

Supervisor Livsey said Mr. Rider made some minor changes to the original policy. The Supervisor asked if the Town could set the policy for the Fire District.

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Mr. Rider said he didn't think so, but would look into it.

Council Member Gunza made a motion seconded by Council Member Voltaire to adopt the Social Media Policy for the Town of Highlands.

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

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

Supervisor Livsey said he would like to have a Department Head meeting next week to discuss this Policy and some other things.

GENERAL BUSINESS

Resolution – FMSIA:

Council Member Edsall made a motion seconded by Council Member Stradley to adopt the resolution to confirm submission of an application to the New York State Comptroller in the matter of the Fort Montgomery Sewer Improvement Area (FMSIA) Sewer Improvement Project pursuant to Article 12-C of the Town Law.

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

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

Resolution – Expenditure from FMSIA Fund:

Ms. Blauvelt explained that an additional \$5,000 is needed for repairs and upgrades at the Overlook and Montgomery pump stations.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the resolution authorizing an expenditure of, up to, an additional \$5,000 from the FMSIA Reserve Fund.

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

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

Social Media Request:

Supervisor Livsey stated that Ms. Blauvelt has asked permission to access and manage the social media sites for the Town.

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Council Member Voltaire made a motion seconded by Council Member Stradley to authorize Ms. Blauvelt to access and maintain the Town's social media sites.

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

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

Supervisor Livsey asked the Board if they wanted to go into executive session to discuss something that was previously discussed or if they wanted him to do what was discussed.

The Board decided they did not need to go into executive session.

Mr. Rider said he would speak to the Building Department.

PROSECUTOR

Supervisor Livsey said he was approached by Mr. Fatsis about being the Town's Special Prosecutor. The Supervisor asked the Board to do their homework and speak to Mr. Fatsis. The Supervisor said Ms. Blauvelt has the costs if the Board wants to look at them.

ADJOURN

Council Member Voltaire made a motion seconded by Council Member Stradley to adjourn the meeting. Meeting adjourned at 7:45pm.

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

Attest,

RESOLUTION

OF

MAY 11, 2015

A RESOLUTION TO CONFIRM
SUBMISSION OF AN APPLICATION
TO THE NEW YORK STATE COMPTROLLER
IN THE MATTER OF THE FORT MONTGOMERY
SEWER IMPROVEMENT AREA
SEWER IMPROVEMENT PROJECT
PURSUANT TO ARTICLE 12-C OF THE TOWN LAW

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

WHEREAS, the Town of Highlands on behalf of the Fort Montgomery Sewer Improvement Area (“FMSIA”) has passed an Order of Public Interest in the matter of the FMSIA Sewer Improvement Project (the “Project”);

WHEREAS, the Town Board has submitted an application seeking funding of the Project through the New York State Drinking Water State Revolving Loan Fund (the “NYSDWSRF”) as well as the Storm Mitigation Loan Program (the “SMLP”); and

WHEREAS, the New York State Environmental Facilities Corporation (the “EFC”) and New York State Department of Health (the “DOH”) jointly administer the NYSDWSRF and SMLP and award funding to a select number of municipalities in accordance with the applicable rules and regulations thereof; and

WHEREAS, under the Final Intended Use Plan Amendment No. 2 for the Clean Water State Revolving Fund for Water Pollution Control, Attachment 1, Storm Mitigation Loan Program Candidate Projects, the Town of Highlands scored a 39, which was above the “funding line;” and

WHEREAS, the Town Board must also seek the consent of the New York State

Comptroller to continue the Project.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Highlands on behalf of FMSIA hereby does approve, endorse and ratify the application for consent for the Project to the New York State Comptroller pursuant to Article 12-c and in accordance with Town Law Section 209-q; and

BE IT FURTHER RESOLVED, that the Board believes the contents of the application to be accurate; and

BE IT FURTHER RESOLVED, that by resolution of the Board on February 9, 2015, the Board determined that the Project is in the Public Interest and will not constitute an undue burden on the properties that bear the cost thereof; and

BE IT FURTHER RESOLVED, that all real properties within the improvement area, are benefitted by the proposed improvements and no benefited property has been excluded; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are 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 the terms and conditions of any consent of the State Comptroller; and

BE IT FURTHER RESOLVED 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	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. 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 May 11, 2015.

June Patterson, Town Clerk

RESOLUTION

OF

MAY 11, 2015

A RESOLUTION TO AUTHORIZE
EXPENDITURE OF FUNDS FROM
THE GENERAL RESERVE:
SANITATION VEHICLE REPAIRS

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

WHEREAS, the Town Board of the Town of Highlands beginning in 1993 put aside funds in a general reserve for the Town's A Fund; and

WHEREAS, the initial deposit was in the amount of Two Hundred Fifty Thousand and 00/100 (\$250,000.00) Dollars, with continuing deposits by the Town Board on a nearly yearly basis and as of April 30, 2015 the general reserve for the Town A Fund totaled approximately Eight Hundred Twenty Two Thousand Dollars (\$822,000.00); and

WHEREAS, the Town Board desires to expend up to Twenty Five Thousand and 00/100 Dollars (\$25,000.00) from said general reserve fund for repairs needed on sanitation vehicles, which expenditure is for the benefit of the same tax base; 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, that the Town Board is authorizing the expenditure of Twenty Five Thousand and 00/100 Dollars (\$25,000.00) from said general reserve fund for repairs needed on sanitation vehicles.

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 T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

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June Patterson, Town Clerk

RESOLUTION

OF

MAY 11, 2015

A RESOLUTION TO AUTHORIZE
EXPENDITURE FROM THE
FMSIA RESERVE FUND

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

WHEREAS, the Town Board of the Town of Highlands pursuant to Section 6-c of the General Municipal Law of New York State heretofore established a certain capital reserve fund for the benefit of the Fort Montgomery Sewer Improvement Area known as the FMSIA Reserve Fund; and

WHEREAS, the Town Board previously authorized on January 12, 2015, the expenditure of forty five thousand dollars in emergency repairs at the Overlook and Montgomery pump stations; and

WHEREAS, the Town Board desires to authorize the expenditure of an additional amount not to exceed Five Thousand and 00/100 (\$5,000.00) Dollars from said capital reserve as the repairs and upgrades performed by TAM as the contractor exceeded the initial estimate; 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 Five Thousand and 00/100 (\$5,000.00) Dollars is hereby authorized from the FMSIA Reserve Fund to complete payment to TAM for the repairs and upgrades completed on the pump stations.; 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	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. 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 May 11, 2015.

June Patterson, Town Clerk

RESOLUTION

OF

MAY 11, 2015

A RESOLUTION TO ADOPT
A SOCIAL MEDIA POLICY
FOR THE TOWN OF HIGHLANDS

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

WHEREAS, the Town of Highlands endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity; and

WHEREAS, the Town Board believes it is in the public interest to establish procedures for appropriate and responsible use of social media; and

WHEREAS, the Town Board is responsible for Town property and the assets of the Town and for compliance with laws and regulations; and

WHEREAS, the adoption of said amendments is a local legislative decision in connection with continuing agency administration and management, and does not include 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, that the Town Board of the Town of Highlands, Orange County, New York adopts the social media policy, attached hereto and made a part hereof at Exhibit A; 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	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

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June Patterson, Town Clerk