

## **TOWN BOARD**

The Town Board, Town of Highlands, held a public hearing and meeting on Monday, October 26, 2015 at Town Hall, 254 Main St, Highland Falls, at 7:00pm.

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

ABSENT: James Stradley ---- Council Member

### **PUBLIC HEARING – 2016 BUDGET**

Council Member Gunza made a motion seconded by Council Member Voltaire to open the Public Hearing on the 2016 Budget.

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

Supervisor Livsey stated that the budget has been on line and available in the Town Clerk's office for a couple of weeks. The Supervisor also said that the Board has worked on this budget every Monday since July and the meetings have been televised, when possible.

Supervisor Livsey said either tonight or at the next meeting, the Board will review the budget and make final decisions. The Supervisor said the total budget is \$5,985,400 which is down from last year. The Supervisor outlined some of the costs for the residents, Village and Town.

Supervisor Livsey stated that the Library had requested \$7,500 more in their budget, but the Board rejected that and left it the same as last year. The Supervisor said the Library's personal services were accidentally cut by \$13,600 and that will be put back in the budget.

### **Public Comment**

Gus Koutsourades, President of the Library Board, asked the Board to bring the budget back to where it was before.

Suzanne Brahm, Director of Library, stressed the importance of not cutting the Library's budget. Mrs. Brahm stated that when money is cut, the Library has to cut what is supplied to the residents. Mrs. Brahm asked the Board to not take any money from their budget.

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Bonnie Snow commended the Board on the work they have done on the budget. Ms. Snow said the library has helped a lot of people and she is here to support them.

Vivian Thomson stated that if money is cut, services/supplies will need to be cut.

Council Member Edsall made a motion seconded by Council Member Gunza to close the public hearing. Public hearing closed at 7:15pm.

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

Supervisor Livsey said the Board would discuss what they heard tonight and do the best they can.

## REGULAR MEETING

### PUBLIC COMMENT

Deborah Kopald expressed her concern over the proposed wireless water meters. Ms. Kopald asked the Board to do a proper review of the system before committing to anything.

### MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from the September 28, 2015 meeting.

**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 approve the minutes from the September 17, 2015 meeting.

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

### COMMUNICATIONS

Supervisor Livsey said the Sewer Plant was inspected and the Inspector recommended, that when the plant is renovated, the Town install a belt press instead of drying beds. The Supervisor is looking into it.

**FINANCIAL**

**Budget Transfers**

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$300 from Recreation Other Revenues to Recreation Expenses Reimbursed by Parents.

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

Council Member Gunza made a motion seconded by Council Member Edsall to transfer \$115 from Tax Receiver-Other Expenses to Tax Receiver Salary.

**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 transfer \$500 from Year Round Cont. to Youth Sport Leagues.

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

Council Member Edsall made a motion seconded by Council Member Voltaire to transfer \$15,000 from Contingent Acct to Legal.

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

Council Member Voltaire made a motion seconded by Council Member Gunza to transfer \$2,000 from Postage to Certiorari.

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

Council Member Voltaire made a motion seconded by Council Member Gunza to transfer \$250 from Assessor Equipment to Assessor Other Expenses.

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

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Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$3,997 from Highway-Proceeds from sale of equipment to Highway Equipment.

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

Council Member Edsall made a motion seconded by Council Member Voltaire to transfer \$200 from Town Hall Other to Town Clerk Printing.

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

### **Accounts Payable**

Supervisor Livsey stated that the total amount paid was \$126,260.65.

### **BOARD REPORTS**

#### **Council Member Edsall**

Council Member Edsall reported he had a discussion with John Dodson in reference to participating in the Village and Town sewer.

Council Member Edsall said he spoke to Mr. Rider about the poles in the community.

Council Member Edsall said Chief Quinn will talk about Storm King Mountain.

#### **Council Member Gunza**

Council Member Gunza reported the Fort Montgomery and Highland Falls Fire Departments are going to the schools to talk about fire safety.

Council Member Gunza said the Grace Baptist held their annual Public Service Breakfast this past Sunday.

Council Member Gunza reminded everyone that the clocks go back next weekend and be sure to check your smoke detectors.

Council Member Gunza said Chief Quinn has been working with people on the Storm King Mountain issues.

**Council Member Voltaire**

Council Member Voltaire reported that she attended the Thayer Awards on September 22.

Council Member Voltaire spoke to Ms. Blauvelt and asked if she could list the email addresses of the Town Board on the website, not just a link.

Council Member Voltaire commended the Town of Highlands Ambulance, especially Marty Byrnes, on the great job they did with the Fall Foliage Festival.

**SUPERVISOR'S REPORT**

Nothing to report.

**Chief Quinn**

Chief Quinn said his Department is using the Indian Point facility for firearms training. The Chief said it costs \$250/day and they used it for two days. Chief Quinn said he asked the Village of Maybrook to join them and they picked up one day's payment.

Chief Quinn said Storm King Mountain is a problem during the winter and after exploring these issues and remedies, the following remedies have been decided on: 1) the Town of Highlands and Cornwall Police are now in direct contact with each other; 2) the State put up signs in the center median for easier identification when reporting trouble; 3) DOT has been asked to keep the culverts clean. The Chief stated that he is looking into a proposal for West Point to help with a Help Truck.

Supervisor Livsey said, at the Special Meeting, the Board hired two new police officers.

Chief Quinn stated the Board hired Maria Barberis who is a part time Sheriff with the Rockland County Sherriff's Department and Paul Rapoli who is currently a part time Police Officer for the Town of Montgomery.

**GENERAL BUSINESS**

**Collective Bargaining Agreement**

Supervisor Livsey stated he had previously provided the Board with a copy of the Agreement. The Supervisor is recommending that the Board renew the Agreement for another three years.

**TOWN BOARD**

**OCTOBER 26, 2015**

Council Member Edsall made a motion seconded by Council Member Voltaire to execute the Memorandum of Agreement between the Town of Highlands and the Town of Highlands Employee Association which will expire December 31, 2018.

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

**\*\*\*\*RESOLUTION ATTACHED\*\*\*\***

**Privacy Agreement – Central Hudson**

Supervisor Livsey said Central Hudson sent him a Privacy Agreement and asked that the Town Board sign it, unless the Town had one of its own. The Supervisor asked Mr. Rider to prepare one for the Town.

Mr. Rider briefly reviewed the policy.

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

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

**\*\*\*\*RESOLUTION ATTACHED\*\*\*\***

**Relevy Sewer Charges – 2015**

Supervisor Livsey said the relevied charges will be put on the next tax bill.

Council Member Gunza made a motion seconded by Council Member Edsall to adopt the resolution to relevy the 2015 Sewer Charges.

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

**\*\*\*\*RESOLUTION ATTACHED\*\*\*\***

**Relevy Water Charges – 2014 & 2015**

Supervisor Livsey said the reason for the two years if because of the billing cycle for water.

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**OCTOBER 26, 2015**

Council Member Edsall made a motion seconded by Council Member Voltaire to adopt the resolution to relevel the 2014 and 2015 Water Charges.

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

**\*\*\*\*RESOLUTION ATTACHED\*\*\*\***

**Unsafe Building Costs**

Supervisor Livsey said the two properties that this resolution pertains to are on Mine Dock Road and Firefighter's Memorial Drive.

Council Member Gunza made a motion seconded by Council Member Voltaire to adopt the resolution ordering property maintenance and unsafe building costs to be levied against the property.

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

**\*\*\*\*RESOLUTION ATTACHED\*\*\*\***

**Police Officer Resignation**

Council Member Gunza made a motion seconded by Council Member Edsall to accept the resignation of Police Officer Joe Pacione.

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

**Mine Dock Park Contract**

Supervisor Livsey said Mr. Rider has reviewed the contract and sees no reason why it cannot be signed by the Town.

**Chase Banking**

Supervisor Livsey stated that, at the beginning of 2016, Chase Bank will be charging the Town \$750 a month to have our accounts there. The Supervisor said Ms. Blauvelt is looking into other options and waiting for proposals from 1<sup>st</sup> Niagara and TD Bank.

**OTHER BUSINESS**

**Budget**

Supervisor Livsey asked if the Board wanted to look at the budget tonight. The Supervisor said the changes discussed were previously sent to the Board for review.



RESOLUTION

OF

OCTOBER 26, 2015

A RESOLUTION TO AUTHORIZE  
EXECUTION OF MEMORANDUM  
OF AGREEMENT BETWEEN THE TOWN  
OF HIGHLANDS AND THE TOWN  
OF HIGHLANDS EMPLOYEE ASSOCIATION  
2016-2018

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

WHEREAS, the Town of Highlands and the Town of Highlands Employee Association (the "Union") are parties to a collective bargaining agreement which will expire on December 31, 2015; and

WHEREAS, the parties have agreed to terms through collective negotiations for a successor agreement; and

WHEREAS, the agreement embodied in the attached Memorandum of Agreement, extends the term for three years so that the collective bargaining agreement will now expire December 31, 2018; and

WHEREAS, the Memorandum of Agreement is subject to approval by the Town Board and the membership of the Union; and

WHEREAS, the Town Board of the Town of Highlands has reviewed the terms of the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Town of Highlands Supervisor is hereby authorized to execute the Memorandum of Agreement for and on behalf of the Town of Highlands; 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 the Memorandum of Agreement; 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	<b>Absent</b>
June Gunza, Councilwoman	voting	<b>Aye</b>
Adrienne T. Voltaire, Councilwoman	voting	<b>Aye</b>
William Edsall, Councilman	voting	<b>Aye</b>
Mervin R. Livsey, Supervisor	voting	<b>Aye</b>

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 October 26, 2015.

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June Patterson, Town Clerk

RESOLUTION  
OF  
OCTOBER 26, 2015

A RESOLUTION TO ADOPT  
A PRIVACY 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 recognizes the need to protect the privacy of individuals and the confidential information it obtains through governance; and

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

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

WHEREAS, the adoption of said policy 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 privacy 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	<b>Absent</b>
June Gunza, Councilwoman	voting	<b>Aye</b>
Adrienne T. Voltaire, Councilwoman	voting	<b>Aye</b>
William Edsall, Councilman	voting	<b>Aye</b>
Mervin R. Livsey, Supervisor	voting	<b>Aye</b>

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June Patterson, Town Clerk

**RESOLUTION**

**OF**

**OCTOBER 26, 2015**

**A RESOLUTION TO RELEVY 2015 SEWER CHARGES**

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

**WHEREAS**, the Fort Montgomery Sewer Improvement Area in the Town of Highlands has reported unpaid sewer bills per the attached schedule for sewer charges for 2015 payable semi-annually in January and July 2015; and

**WHEREAS**, certain said charges remain unpaid although the time for their payment has passed.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Highlands Town Board requests the Orange County Government relevy and include within its 2016 Warrant to the Receiver of Taxes of the Town of Highlands for the County and Town Taxes, the 2015 unpaid sewer charges of the Fort Montgomery Sewer Improvement Area as set forth in the list annexed hereto and certified as true and correct.

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

James Stradley, Councilman	voting	<b>Absent</b>
June Gunza, Councilwoman	voting	<b>Aye</b>
Adrienne T. Voltaire, Councilwoman	voting	<b>Aye</b>
William Edsall, Councilman	voting	<b>Aye</b>
Mervin R. Livsey, Supervisor	voting	<b>Aye</b>

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June Patterson, Town Clerk

**RESOLUTION**  
**OF**  
**OCTOBER 26, 2015**

**RESOLUTION TO RELEVY 2014 and 2015 WATER CHARGES**

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

**WHEREAS**, the Town of Highlands levied a Water Charge for 2014 and 2015 payable semi-annually in October and April 2014 and 2015, respectively.

**WHEREAS**, certain said charges remain unpaid although the time for their payment has passed.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Highlands Town Board requests the Orange County Legislature relevy and include within its Warrant to the Receiver of Taxes of the Town of Highlands for the County and Town Taxes, the 2014 and 2015 unpaid water charges of the Town of Highlands Water District #1 and the Town of Highlands Water District #2 as set forth in the list annexed hereto and certified as true and correct.

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

James Stradley, Councilman	voting	<b>Absent</b>
June Gunza, Councilwoman	voting	<b>Aye</b>
Adrienne T. Voltaire, Councilwoman	voting	<b>Aye</b>
William Edsall, Councilman	voting	<b>Aye</b>
Mervin R. Livsey, Supervisor	voting	<b>Aye</b>

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June Patterson, Town Clerk

RESOLUTION  
OF  
OCTOBER 26, 2015

A RESOLUTION ORDERING  
PROPERTY MAINTENANCE  
AND UNSAFE BUILDING COSTS  
LEVIED AGAINST PROPERTY

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

WHEREAS, throughout the year, the Town and Town officials under the Property Maintenance and Unsafe Building Codes has performed inspections, maintenance and work as authorized by the Codes; and

WHEREAS, any maintenance and work is performed only after proper notice to the property owner; and

WHEREAS, the property owners have failed to comply with the orders of the Town Board to maintain and/or repair and therefore the Town incurred the costs necessary to maintain and/or repair the premises and now seeks to levy the charges thereof against the property.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Highlands Town Board hereby requests the Orange County Government relevy and include within its 2016 Warrant to the Receiver of Taxes of the Town of Highlands for the County and Town Taxes, the costs and expenses of repairing and/or maintaining the property under the Unsafe Building Code or Property Maintenance Code as set forth in the list annexed hereto and certified as true and correct.

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	<b>Absent</b>
June Gunza, Councilwoman	voting	<b>Aye</b>
Adrienne T. Voltaire, Councilwoman	voting	<b>Aye</b>
William Edsall, Councilman	voting	<b>Aye</b>
Mervin R. Livsey, Supervisor	voting	<b>Aye</b>

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June Patterson, Town Clerk