

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, December 28, 2015 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

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

ABSENT: James Stradley ---- Council Member
Adrienne T. Voltaire ---- Council Member

Supervisor Livsey opened the meeting at 7:00pm.

PUBLIC COMMENT

No public comment.

MINUTES

Supervisor Livsey said the minutes from November 9 and 11 cannot be approved because Council Member Voltaire is not here.

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from the December 14, 2015 meeting.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

COMMUNICATIONS

Supervisor Livsey said he would discuss the communications during his report.

FINANCIAL

Accounts Payable

Supervisor Livsey said there were two payments made since the last meeting. The Supervisor said the first payment was for \$111,792.26 and a payment was made today in the amount of \$41,519.

Budget Transfers

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$250 from Town Hall Other to Town Clerk Other.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$4,500 from Police retirement to Police FICA.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$300 from Police retirement to MTA tax.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$2,000 from Machinery repair other to Machinery repair personnel.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$271 from Machinery repair other to Retirement.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$10,800 from Water District #2 bond to Water District #2 water charges.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$100 from Contractual Expenses Roe Park to Roe Park utilities.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

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Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$555.34 from Asst. Seniors Misc Services to Asst. to Seniors other expenses.

MOTION CARRIED: **3-eyes (Livsey, Edsall, Gunza)**
 0-nays
 2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$3,000 from Sanitation fuel to Sanitation vehicle maintenance.

MOTION CARRIED: **3-eyes (Livsey, Edsall, Gunza)**
 0-nays
 2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$700 from Ambulance equipment to Ambulance medications.

MOTION CARRIED: **3-eyes (Livsey, Edsall, Gunza)**
 0-nays
 2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$1,630.65 from CHIPS revenue to CHIPS Expense.

MOTION CARRIED: **3-eyes (Livsey, Edsall, Gunza)**
 0-nays
 2-absent (Stradley, Voltaire)

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$850 from Dog Control payroll to Dog Control other expenses.

MOTION CARRIED: **3-eyes (Livsey, Edsall, Gunza)**
 0-nays
 2-absent (Stradley, Voltaire)

SUPERVISOR'S REPORT

Supervisor Livsey reported that the Orange County Legislature approved a resolution to take away 1/3 of the election costs from the Town. The Supervisor said this saved the Town approximately \$8,900.

Supervisor Livsey stated that Time Warner Cable informed us that our phone lines were hacked and the cost of the calls is \$397, which they want to charge the Town for. The Supervisor said he doesn't believe the Town is liable and will refuse to pay the charges.

Supervisor Livsey said he asked Ms. Hurst to investigate alarm companies. The Supervisor said Ms. Hurst got a couple of quotes and was able to get our current company to lower their charges by \$125.

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Supervisor Livsey said RFPs were sent out for Vehicle & Traffic Prosecutor and he is waiting for proposals to come in.

BOARD REPORTS

Council Member Edsall

Council Member Edsall said he sent the Board an email, but he thinks it might fall under real estate.

Council Member Edsall said he hasn't heard back from Orange & Rockland, but he would like to let them know that the Town wants to participate in the lighting program.

Council Member Gunza

Council Member Gunza said the Police Department will be supplying an officer at the O'Neill athletic events and the School will be paying the officer.

Council Member Gunza said the Resource Officer in the school is excellent with the kids.

GENERAL BUSINESS

Mine Road update

Supervisor Livsey said that since the last meeting the public has been writing letters to help keep Mine Road open. The Supervisor believes that the Garrison Commander needs something to give to the General to explain why it should be kept open.

Home Rule Legislation

Supervisor Livsey said the Town cannot prove whether or not Chris Dyroff was ever offered to join the Retirement System when he was appointed to the Planning Board. The Supervisor said Mr. Dyroff has taken a job and is stating that he should be in Tier 4. Supervisor Livsey said the Town tried to do something with Civil Service, but was unsuccessful. The Supervisor said there is possibly a way for the Assemblyperson to put in a special request and asked Mr. Rider to prepare a letter to send to Assemblyman Skoufis and Senator Larkin.

Dumpster Complaint

Supervisor Livsey had a meeting with Mr. Hager, Mr. Patterson and the resident about this complaint and it was decided that the landlord will be informed he is in violation and if the matter is not rectified, in a timely manner, he will be charged for the dumpster.

Police Request – O'Neill Basketball Games

Supervisor Livsey said the police have been asked to be at the girls and boys basketball games at O'Neill.

Water District 1 & 2 Payments

Supervisor Livsey said this was discussed in an executive session and there is nothing else to report.

2016 Insurance

Ms. Blauvelt stated that she and the Supervisor met with representatives from different companies. Ms. Blauvelt said, after the proposals were in, our current company came in with the lowest quote.

Ms. Blauvelt said she needs the Supervisor to sign the contract with Houston Casualty for 2016.

Council Member Edsall made a motion seconded by Council Member Gunza to authorize Supervisor Livsey to sign the contract with Houston Casualty for \$88,870.

**MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
 0-nays
 2-absent (Stradley, Voltaire)**

Mine Road

Supervisor Livsey said he received an email about dumping on Mine Road. The Supervisor said Highway Supt. Patterson checked it out and sent a letter saying his staff is monitoring the area.

Resolution – Water District 2 Blacktop

Supervisor Livsey said Highway Supt. Patterson and the Trust have a deal to pave Tonneson Drive and the church parking. The Supervisor said the Trust is giving the Town \$30,000 to pave Tonneson Drive and the Methodist Church parking area.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the resolution to authorize paving by the Town of Highlands in connection with the ongoing improvements to Water District 2.

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

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

SWEARING IN CEREMONY

Supervisor Livsey said the Swearing-In Ceremony for the newly elected Town officers will be held on January 1 at the Town Hall at 1:00pm. The Supervisor encouraged the public to attend.

Misc.

Supervisor Livsey said the next meeting will be the Town’s annual meeting and he would like the Town Clerk to remind everyone to get their re-appointment letters in.

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Supervisor Livsey said he received a letter from Tim Doherty stating that he will not be seeking re-appointment to the Zoning Board.

Ms. Blauvelt stated that she sent out RFPs for accounting services and she has received proposals. Ms. Blauvelt said the Town has been paying Vanacore \$25,000, but they have agreed to lower their price to \$20,000 to be closer to the low bid of \$19,000 from Nugent & Hauser. Ms. Blauvelt requested the Board hire Vanacore.

Council Member Edsall made a motion seconded by Council Member Gunza to accept Vanacore's proposal of \$20,000 for the year 2016.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

PUBLIC COMMENT

Jim Ramus said he hasn't heard from David Church from Orange County and asked Council Member Gunza if she has heard anything.

Council Member Gunza said she is waiting until after the New Year to follow up with Mr. Church.

Mr. Ramus asked about the selection of the firm for the consolidation.

Council Member Edsall said there is no more dialogue and a new meeting has not been set.

Mr. Ramus said he would like the public to get an update after the next meeting.

Merv Livsey thanked everyone for their service and said they were doing a great job.

ADJOURN

Council Member Gunza made a motion seconded by Council Member Edsall to adjourn the meeting. Meeting adjourned at 7:35pm.

MOTION CARRIED: 3-eyes (Livsey, Edsall, Gunza)
0-nays
2-absent (Stradley, Voltaire)

Attest,

RESOLUTION

OF

DECEMBER 28, 2015

A RESOLUTION TO AUTHORIZE PAVING
BY THE TOWN OF HIGHLANDS
IN CONNECTION WITH THE ONGOING
IMPROVEMENTS
FOR HIGHLANDS WATER DISTRICT NO. 2
POTABLE WATER SYSTEM EXTENSION:
PHASE II

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

WHEREAS, the Town of Highlands on behalf of Town of Highlands Water District #2 has passed an Order of Public Interest in the matter of the Town of Highlands Water District #2 increase to maximum expenditure (the "Project");

WHEREAS, the Town Board has contracted with the Samuel G. Fredman Water Trust in accordance with an Agreement entered into in June 2012, which contract allocates the responsibility for payment of the costs of Water Project Phase I (the "2012 Contract"); and

WHEREAS, the Town Board of the Town of Highlands on behalf of Water District #2 hereby did award the contract for the Water Project Phase I to the lowest responsible bidder, Legacy Valve, LLC, to be performed in accordance with contract documents, at a base bid amount of \$1,058,648.00 and a total bid amount of \$1,216,109.00; and

WHEREAS, Phase I was successfully completed; and

WHEREAS, the Parties began discussing additional work that might be completed, including the provision of water to the Fort Montgomery Elementary School and the expansion of the scope of the project ("Water Project Phase II" or "Phase II") as Phase I did not expend all funds

permitted by the Environmental Facilities Corporation, New York State Comptroller's Office, and the Town Board's Bonding Resolution; and

WHEREAS, the Parties met and the project engineer designed alternatives for the expansion of the project; and

WHEREAS, the Phase II discussions focused on the ability to provide water to the school as well as additional linear feet of piping to maximize the build-out of Water District #2; and

WHEREAS, the Town Board and the Samuel G. Fredman Water Trust contracted to complete Phase II (the "2013 Agreement") which contract authorizes Phase II and allocates the responsibility for payment of the costs of the Project; and

WHEREAS, the Town Board of the Town of Highlands on behalf of Water District #2 hereby did award the contract for the Water Project Phase II to the lowest responsible bidder, Legacy Valve, LLC, to be performed in accordance with contract documents, at a base bid amount of \$351,600.00; and

WHEREAS, the Town previously performed certain paving work in Phase I as it was more efficient and economical; and

WHEREAS, the Trust has requested that the Town again perform paving at Tonneson Drive and Methodist Church Parking area for a sum of \$30,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Highlands on behalf of Water District #2 hereby does agree to perform the necessary paving work to be completed at Tonneson Drive and the Methodist Church parking area for a payment by the Trust of \$30,000.00; 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

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	Absent
June Gunza, Councilwoman	voting	Aye
Adrienne T. Voltaire, Councilwoman	voting	Absent
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 December 28, 2015.

June Patterson, Town Clerk