

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, July 11, 2016 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

PRESENT: Mervin R. Livsey ---- Supervisor
William Edsall ---- Council Member
Tyrone King ---- Council Member
June Gunza ---- Council Member
Adrienne Voltaire ---- Council Member

Jeff Scully ---- Counsel
Kelly Blauvelt ---- Comptroller
Lesley Peterson ---- Deputy Town Clerk

Supervisor Livsey opened the meeting 7:00pm

Supervisor Livsey explained that the flag in front of Town Hall was lowered in respect for the senseless killing of five Dallas Police Officers this past week and will continue to be at half-mast to respect also the sudden death of past Council Member and Planning Board Member, Cathy Kelly.

Supervisor Livsey asked Council Member Edsall to kindly remember Cathy Kelly by giving us a brief synopsis of her life. A moment of silence followed.

Supervisor Livsey announced there is a new Building Department employee and Bruce Terwilliger, Building Inspector, was here to introduce her. The Supervisor stated her name is Kimberly DeSocio and she will be the new Code Enforcement Officer for the Town and she comes highly qualified from a list of candidates.

PUBLIC COMMENT

No public comment.

MINUTES

Supervisor Livsey asked for a motion to approve the minutes of June 28, 2016.

Council Member Edsall made a motion seconded by Council Member King to approve the minutes from June 28, 2016 meeting.

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

COMMUNICATIONS

Supervisor Livsey announced that the Town Board had been invited to the West Point Community Affair July 21, 2016 from 4:30pm – 6:30pm at Eisenhower Hall. The Supervisor said this event features over 100 local businesses. Supervisor Livsey said it was important for the Board to RSVP.

Supervisor Livsey announced that he had received a petition from the Wireless Association for the Commission to update and clarify wireless pole attachment protections.

Supervisor Livsey said the wireless industry is looking to place antennae's on top of telephone poles. The Supervisor said he is not familiar with it, but he has the petition where you can file your objections and comments and the Town Clerk will be able to issue copies if anyone is interested.

FINANCIAL REPORTS

Accounts Payable

Supervisor Livsey announced that the Town payed out \$68,999.37.

Budget Transfers

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$1,000.00 from Insurance Recoveries to Police Vehicle Maintenance.

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

Council Member Gunza made a motion seconded by Council Member Edsall to transfer \$2,650.00 from Unclassified Revenue to Police Personal Services.

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

Supervisor Livsey asked Comptroller Kelly Blauvelt if there was anything else financially to discuss.

Comptroller Kelly Blauvelt discussed briefly that she was looking into changing the billing company for Ambulance Corp.

Supervisor Livsey added that he was very disappointed with Evolution Billing, who the Ambulance Corp is currently with. The Supervisor said their communication is very bad and the Town continues to lose money.

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Kelly Blauvelt said she is in the process of putting something together for the Board regarding an alternate billing company.

Supervisor Livsey asked the Board to give him permission to allow Kelly Blauvelt to just go ahead and start the transition to a new company. The Board agreed.

GENERAL BUSINESS

Water Project Phase 3

Todd Atkinson, Folchetti Engineering, explained about the Phase 3 Water Project.

Supervisor Livsey explains Phase 3 is regarding Miles Lane in Fort Montgomery. The Supervisor stated that the project is being done without Town of Highlands' money, that it is being completed funded through the Samuel J. Fredman Trust, there are nine litigants.

Mr. Atkinson briefly explained the Engineers' Report.

Council Member Edsall asked if all the infrastructure goes towards the Town.

Mr. Atkinson said that it does.

Council Member Edsall also asked if the Highway Superintendent, Pat Patterson, was on board.

Mr. Atkinson said he was.

Supervisor Livsey reads the Resolution for the Water Project Phase 3.

Council Member Edsall made a motion seconded by Council Member Gunza to Schedule a Public Hearing for the Improvements of Water District #2 on July 25 at 7:10pm.

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

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

Corbin Hill Water Tank

Supervisor Livsey asked Mr. Atkinson to talk about the next project involving the water tank on Corbin Hill. The Supervisor said the purpose would be for the Town to purchase the water tank and other infrastructure and allow Corbin Hill to hook up to the Water District.

Mr. Atkinson gave a brief synopsis of the project.

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Council Member King made a motion seconded by Council Member Voltaire to schedule the Public Hearing for Water District 1 & 2 Improvements to include Corbin Hill Water on July 25, 2016 at 7:00pm.

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

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

Attorney Jeff Scully announced that the Board needs a motion to approve the signatures of the application submitted to Orange County Department of Health on Plans for Phase 3 of the Water District.

Council Member Gunza made a motion seconded by Council Member King to approve the signatures on the application to Orange County Department of Health for Phase 3 of the Water District.

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

Supervisor Livsey briefly introduced Jeff Scully to the public, as part of Justin Rider's Law Firm.

BOARD REPORTS

Council Member Edsall

Council Member Edsall reported he had an analysis of the existing conditions from Fairweather Consulting for the Consolidation Committee. Mr. Edsall said there will be a meeting at Village Hall this Thursday.

Council Member Edsall said that he would just like to discuss the situation with the antennae's being attached to telephone poles with Town Attorney Justin Rider.

Council Member King

Council Member King said he had a meeting with Aaron Falk, Recreation Director, to discuss maybe having an exercise class for the elderly.

Council Member King said he asked Aaron Falk to attend the next Senior Meeting.

Council Member King said the Board had discussed at last meeting about the Dial-A-Bus.

Supervisor Livsey requested that Council Member King touch base with Colleen Solan regarding the Dial-A-Bus situation.

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Council Member Gunza

Council Member Gunza just wanted to thank the Town Police Department for all they do and asked the community to say a brief prayer for all Police Officers and their families.

Council Member Voltaire

Council Member Voltaire announced at The Center in the month of July on Wednesday's from 6:15pm – 7:30pm open forum for Community Discussion and the theme is "America Can Do Better". Ms. Voltaire said the conversation will be how to deal with violence.

Supervisor's Report

Supervisor Livsey stated that Garrison Pond has still not been treated, however, the Town is still waiting for the company that treats the pond to get their permit from DEC. The Supervisor stated that the permits are very specific and that is why it is taking so long. The Supervisor said the pond has been treated with Copper Sulfate, but there is a stronger herbicide that is needed and that is what the Town is waiting on.

Supervisor Livsey said that he had received a letter from Fusco Engineering that was originally addressed to Senator Larkin and Assemblyman Skoufis. The letter explained that they represent the Town of Highlands and their concern for the treatment of both Roe Pond and Garrison Pond. The Supervisor said both the Sentaor and Assemblyman are requesting funding from the State to assist in the cleaning process under DEC Clean Water.

Supervisor Livsey received a flyer at home that stated "10 Fun Things to do in Orange County", but, the Town of Highlands, especially Mine Dock Park was not included on there.

Supervisor Livsey called up the Tourism Association and explained all that the Town had to offer including the Battle Site in Fort Montgomery. The Orange County Tourism did not put the flyer out it was done by the County Executive's Office.

Supervisor Livsey reported that the Ambulance Corp had 35 daytime calls in the month of June and 14 calls between 6pm – 6am.

Supervisor Livsey announced that Gina Borra, dispatcher for the Village, has retired.

Supervisor Livsey announced that Ms. Borra will be honored at the Ambulance Hall tonight and the Village Police Department are organizing a Retirement Party for her.

Comptroller Kelly Blauvelt

Ms. Blauvelt stated that there was going to be a representative from Marshall & Sterling here tonight to discuss renewing our Health Insurance with the Town, however, he had a family emergency so Ms. Blauvelt will be going over the options briefly.

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Ms. Blauvelt said that Brad, from Sterling & Marshall recommended we stay with the plan we have as did Ms. Blauvelt.

Supervisor Livsey asked what the Employee's contribution is and Ms. Blauvelt responded that a single individual non-union is \$10 and Union \$8 and Family contribution being non-union \$15 and Union \$13.

Council Member King made a motion seconded by Council Member Edsall to stay with the Health Plan MVP we currently have, advised by Marshall & Sterling and Comptroller Kelly Blauvelt.

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

CLG Accident Insurance - Recreation

Supervisor Livsey said that the Town has been discussing this CLG Accident Policy for some time, regarding \$5,000 policy for Recreation.

Council Member Edsall requested that maybe the Board could table the discussion until Budget time.

Council Member Edsall made a motion seconded by Council Member Gunza to table discussion regarding \$5,000 Recreation Accident Policy.

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

Budget Sessions

Supervisor Livsey announced that the Budget would be scheduled for the last three weeks of August and they would be the last three Mondays in August. There would be no interference with the Village meetings.

Supervisor Livsey asked the Board what time would you like to start those meetings, last year we started at 6pm.

The Board agreed at 6pm to start Budget Meeting and 7pm Regular Meeting.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

Council Member Gunza made a motion seconded by Council Member Edsall to go into Executive Session to discuss a particular Personnel matter at 7:55pm

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

Council Member King made a motion seconded by Council Member Edsall to close the executive session. Executive session closed at 8:10pm.

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

ADJOURN

Council Member Gunza made a motion seconded by Council Member Edsall to adjourn the meeting adjourned at 8:11pm.

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

Attest,

RESOLUTION

OF

JULY 11, 2016

A RESOLUTION TO SCHEDULE A
PUBLIC HEARING IN THE MATTER OF
THE INCREASE AND IMPROVEMENT OF THE
FACILITIES OF TOWN OF HIGHLANDS
WATER DISTRICT #2
UNDER TOWN LAW 202-b:
PHASE III, MILES LANE

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

WHEREAS, the Town Board of the Town of Highlands, Orange County, New York, is causing to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Water District #2 in the Town of Highlands, Orange County, New York (the "Water District"), being improvements to the water distribution system at and around Miles Lane, the improvements for such to be constructed at the expense of the Samuel J. Fredman Settlement Trust, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith as described therein, with the maximum estimated construction cost of \$760,000; and

WHEREAS, the cost to a typical property in the District will not be impacted by the construction, although the Water District would provide for repair and maintenance of dedicated water improvements; and

WHEREAS, said capital project has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law.

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Highlands, Orange County, New York, as follows:

Section 1. A public hearing will be held in the Town Hall, at 254 Main Street, Highland Falls, New York, on July 25, 2016, at 7:10 o’clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Water District #2 in the Town of Highlands, Orange County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and

posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

Tyrone King, 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 July 11, 2016.

June Patterson, Town Clerk

RESOLUTION

OF

JULY 11, 2016

A RESOLUTION TO SCHEDULE A
PUBLIC HEARING IN THE MATTER OF
THE INCREASE AND IMPROVEMENT OF THE
FACILITIES OF TOWN OF HIGHLANDS
WATER DISTRICT #1 and WATER DISTRICT #2
UNDER TOWN LAW 202-b and TOWN LAW 208:
CORBIN HILL WATER

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

WHEREAS, the Town Board of the Town of Highlands, Orange County, New York, is causing to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, and an allocation of cost among the districts benefitted pursuant to Section 208 of the Town Law, relating to the increase and improvement of the facilities of Water District #1 and Water District #2 in the Town of Highlands, Orange County, New York (the “Water Districts”), being improvements to the water storage, distribution and filtration system, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith as described therein, due to the acquisition of the Corbin Hill Water System at a maximum estimated cost of \$150,000; and

WHEREAS, the cost to a typical property in Water District #1 would increase by approximately \$15.25 per year and Water District #2 would increase by less than \$1.00 per year as a result of increased points and water users within the District; and

WHEREAS, said capital project has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water Districts, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law.

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Highlands, Orange County, New York, as follows:

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Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

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Tyrone King, 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 July 11, 2016.

June Patterson, Town Clerk