

REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HIGHLAND FALLS

October 19, 2009

A regular meeting of the Board of Trustees of the Village of Highland Falls was held in the Village Hall, 303 Main Street, Highland Falls, New York on October 19, 2009.

The Meeting was called to order by Mayor D'Onofrio at 6:00 P.M.

Members present were:

Mayor Joseph E. D'Onofrio
Trustee Harold Brown
Trustee James DiSalvo
Trustee June L. Gunza
Trustee Joseph McCormick

Also present were:

Village Clerk, Regina M. Taylor
Street Superintendent, Gary Boyce
Police Chief, Peter Miller
Fire Captain, John Rush
News of the Highlands Editor, Mary Jane Pitt
Community Development Director, Eileen Koppenal
Section 8 Representative – Jim Mastrianni from Joseph E. Mastrianni, Inc.
Residents- Konstantinos Fatsis- 2 Mountain Ave, , Mr. Mehta-1610 Rt9W (Pointer's Echo Motel), Jose Sierra-65 Schneider Ave.

A motion was made by Trustee McCormick to approve the below listed minutes as written:

- a) Regular Meeting – October 5, 2009
- b) Special Meeting – October 13, 2009

The motion was seconded by Trustee DiSalvo and unanimously carried.

A public hearing, as duly advertised, was opened at 6:01 pm, for the purpose of receiving public comment on the Village's proposed Agency 5 Year Plan for 2010 for the Section 8 Housing Choice Voucher Program.

Jim Mastrianni, a representative from Joseph E. Mastrianni, Inc, the program Administrator for the Village, was on hand to present the annual report for the Voucher Choice Program. (a copy of this report is appended to the minutes). Mr. Mastrianni stated that the annual report is a requirement of HUD (Housing & Urban Development) and every five years the plan must be renewed. There are currently 67 families receiving assistance. Mr. Mastrianni reported that the new program, Family Self Sufficient Program, to aid low income families was started in December 2007, and has 21 participants. This year a new goal of the program is to reduce fraud or abuse in the program. Mr. Mastrianni stated that internal systems have been created to assist in reaching this goal.

One question asked was how many elderly or disabled participate in the program. Mr. Mastrianni reported that 49% of participants are either elderly or disabled. The Mayor commented that he is glad to hear about the new goal of reducing fraud or abuse in the program. He also commented that he is glad to hear that Section 8 apartments are inspected annually. Mr. Mastrianni confirmed that there are three inspectors on his staff that perform these inspections and they make sure everything is corrected before approval to be a Section 8 dwelling can occur.

Trustee Gunza commented that she agrees the program is running well and is glad the decision was made a few years ago to hire Mastrianni, Inc. to run the Section 8 program in the Village.

Trustee DiSalvo asked what percentage of people start on the program and work their way off the program and how long does it take. Mr. Mastrianni commented that the average length of participation in the program is 5 years.

Trustee McCormick asked about the inspection failure rate and how long for corrections to be made. Mr. Mastrianni pointed out that a failed inspection must be corrected immediately or a family must face moving. Most landlords take care of any violations quickly. The number one cause of inspection failure is no battery in smoke alarms.

The Village Board thanked Mr. Mastrianni for his presentation and expressed their appreciation for the good job that his company is doing on behalf of the Village.

All questions being asked and all comments heard, the Public Hearing closed at 6:25pm.

Trustee Gunza motioned the following:

Resolution
Resolution Adopting the 5 Year Plan & Annual Plan for 2010
For the Village of Highland Falls
Section 8 Housing Choice Voucher Program

The motion was seconded by Trustee McCormick and on a roll call vote the results which follow:
5 Ayes 0 Nays
 motion carried. (A true and complete copy of the resolution is appended to these minutes)

A public hearing, as duly advertised, was continued from the October 5th meeting, at 6:25 pm, for the purpose of receiving public comment to consider adoption of Introductory Local Law entitled "State Route 9W Rezoning and Amendment to the Table of Use Regulation". Mayor D'Onofrio commented that the Village had received approval recommendation from the O.C. Department of Planning, because the proposed changes conform with the Comprehensive Plan recently adopted this year by the Village.

Konstantinos Fatsis spoke on behalf of Soula Fatsis, owner of Section 111, block 1, lot 14. The local law will rezone only the portion currently zoned R-1 to B-2, and the portion currently zoned R-3 will remain. Mr. Fatsis pointed out that Section 111, lot 1, section 15.4 is to be rezoned from the current zone of R-1 to B-2, and also the portion currently zoned R-3, will also be rezoned to B-2. Mr. Fatsis feels this is wrong. He would like to see the property known as Section 111, block 1, lot 14, be rezoned in its entirety as is the other three properties included in the local law.

The Mayor asked Mr. Fatsis if he had objections to the other properties being rezoned according to this law and Mr. Fatsis said he did not, however, he would like to see all the properties treated the same way. He did not want to hold up approval for the other properties, however, he would like to have Mrs. Fatsis' property know as Section 111, block 1, lot 14, be rezoned in its entirety to B-2. Trustee McCormick said he would like to look at the section of the Comprehensive Plan that addresses these changes. The Mayor suggested that this law can still be adopted and Mr. Fatsis can petition the Village Board for the desired changes to Mrs. Fatsis' property know as Section 111, block 1, lot 14. Mr. Fatsis wanted to make sure that the Board understood that he is not waiving any rights to contest any action taken at tonight's meeting.

All questions being asked and all comments heard, the Public Hearing closed at 6:30pm.

Trustee McCormick motioned the following:

Village of Highland Falls
 Resolution of Adoption
 Local Law No. 8 of 2009
 State Route 9W Rezoning and Amendment to the Table of Use Regulations

The motion was seconded by Trustee DiSalvo and duly put to a roll call vote, the result which follows:

5 Ayes 0 Noes

The Mayor declared the Resolution adopted. (A true and complete copy of this resolution is appended to the minutes.)

The Mayor commented that due to the Town of Highlands extending communication services with the Village for the month of June for the cost of \$7500.00, and the Board agreed that this unanticipated revenue can be used to purchase a surveillance security camera, a budget amendment must be done.

Trustee DiSalvo motioned the following:

Resolution
 Village Of Highland Falls
 Board of Trustees
 2009-2010 Budget Amendment

The motion was seconded by Trustee Brown and duly put to a roll call vote, the result which follows:

5 Ayes 0 Noes

The Mayor declared the Resolution adopted. (A true and complete copy of this resolution is appended to the minutes.)

Discussion was held on the needed repairs in the Wastewater Treatment Plant. The Mayor reported that a Bond Resolution for \$150,000 has been prepared per the recommendation of the Village Treasurer. Trustee McCormick stated that the Board does not anticipate having to borrow the total, however, if need be, then the authorization is in place.

Trustee DiSalvo stated that he does not want items that have already been paid for to be included in the bond amount. He would like to see them remain as current budget expenses. Trustee Gunza agreed with the Treasurer's recommendation that the authorization be given for the total of all repairs, approximately, \$150,000.00, in case it is needed.

Trustee Brown motioned the following:

BOND RESOLUTION OF THE VILLAGE OF HIGHLAND FALLS, ADOPTED OCTOBER 19, 2009, AUTHORIZING THE RECONSTRUCTION OF THE WASTEWATER TREATMENT FACILITY, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$150,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION.

The motion was seconded by Trustee McCormick and on a roll call vote the results which follow:

Mayor D'Onofrio - aye
Trustee Brown -aye
Trustee DiSalvo – abstain
Trustee Gunza - abstain
Trustee McCormick – aye

Motion denied.

The Mayor responded that this was totally uncalled for. The repairs for the sewer plant are very necessary and it's dangerous to play politics over it. He agreed with Trustee DiSalvo about bonding small repairs, however, the overall repairs at the plant are very necessary. Street Superintendent, Gary Boyce responded that he understands the concern over bonding, however, the items paid for already were not budgeted for and bonding would help replace those funds. Trustee Gunza commented that the Board should be very vigilant when the actual borrowing of any money takes place. The Mayor asked that another vote be taken.

Trustee McCormick motioned the following:

BOND RESOLUTION OF THE VILLAGE OF HIGHLAND FALLS, ADOPTED OCTOBER 19, 2009, AUTHORIZING THE RECONSTRUCTION OF THE WASTEWATER TREATMENT FACILITY, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$150,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION.

The motion was seconded by Trustee DiSalvo and on a roll call vote the results which follow:

Mayor D'Onofrio - aye
Trustee Brown -aye
Trustee DiSalvo – aye
Trustee Gunza - aye
Trustee McCormick – aye

Motion carried. (a true and complete copy of the Bond Resolution is appended to these minutes.)

Trustee McCormick motioned to approve the training request for Wastewater Treatment Plant Operator, Don Conley to attend NYSDEC "Fog Management Overview – Controlling Collection System Impacts" on November 17th in New Paltz at the cost of \$120.00 and that all actual expenses incurred be approved.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee DiSalvo motioned to approve the training request for Street Superintendent Gary Boyce and Heavy Equipment Operator, Pat Patterson to attend "A Competent Person Seminar" on October 28th in Newburgh at a cost of \$175.00 per person and that all actual expenses incurred be approved.

The motion was seconded by Trustee McCormick and unanimously carried.

A letter from Mr. Jose Sierra, 65 Schneider Ave. was acknowledged. Mr. Sierra is still waiting for the Village to respond to his previous requests to fix a problem with a sidewalk and wall in front of his property. Mr. Sierra stated that he has been patiently waiting for three years for this issue to be addressed.

The Mayor asked Gary Boyce to respond. Mr. Boyce stated that it is the Village's responsibility to correct the situation and the estimate for materials is approximately \$3,000.00. He stated he figures the total cost would run the Village about \$4,000.00 to do the job in house and approximately \$20,000.00 if it is contracted out. Mr. Boyce said he does not anticipate any staffing problems for the next month. The Mayor responded for Mr. Boyce to get the material in place and get the job started. Mr. Sierra was pleased with the response.

Trustee DiSalvo motioned to accept the recommendation of Chief Miller to appoint Mr. Adam Bruce a full-time Police Officer at step 5 for salary, \$60,853.00 and new hire for all other benefits.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee McCormick motioned to accept the recommendation of Chief Miller to appoint Ms. Jacqueline Blumfield a part-time dispatcher at the salary of \$12.71 per hour.

The motion was seconded by Trustee DiSalvo and unanimously carried.

A motion was made by Trustee DiSalvo to approve the bills and claims for \$55,468.72 from the following listed funds:

General Fund	\$33,790.08
Water Fund	\$ 6,097.05
Sewer Fund	\$ 8,641.59
Capital Fund	\$ 6,940.00

The motion was seconded by Trustee Brown and unanimously carried.

Trustee Brown motioned to enter executive session to discuss a particular employee. The motion was seconded by Trustee McCormick and unanimously carried.

The Board entered executive session at 7:13pm.

Trustee McCormick motioned the following:

Resolution
Village of Highland Falls
Board of Trustees
Employee Suspension

The motion was seconded by Trustee Brown and on a roll call vote, the results which follow:

5 Ayes 0 Nays

motion carried. (A true and complete copy of the resolution is appended to these minutes)

Trustee Gunza motioned the following:

Resolution
Village of Highland Falls
Board of Trustees
Civil Service Law §72 Proceedings

The motion was seconded by Trustee McCormick and on a roll call vote, the results which follow:

5 Ayes 0 Nays

motion carried. (A true and complete copy of the resolution is appended to these minutes)

A motion was made by Trustee Brown to come out of executive session. The motion was seconded by Trustee DiSalvo and unanimously carried.

The Regular meeting reconvened at 7:30pm.

Trustee McCormick motioned to adjourn. The motion was seconded by Trustee Brown and unanimously carried.

The meeting closed at 7:30pm.

Regina M. Taylor, Village Clerk