

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

September 21, 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 September 21, 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
Code Enforcement Officer – Tim Doherty
Fire Captain, John Rush
News of the Highlands Editor Emeritus, Fred Brennan
Residents- Nick Camporeale,- Catherine St., Jean Sharp – 11 Homestead Ave., Mr. Mehta-1610 Rt9W (Pointer's Echo Motel), Mr. Norman DeYoung – 11 Walker Ave..

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

- a) Regular Meeting – August 17, 2009
- b) Special Meeting – August 24, 2009
- c) Special Meeting – September 15, 2009

The motion was seconded by Trustee Brown and unanimously carried.

Trustee DiSalvo motioned the following:

Resolution Introducing Local Law
And Providing for Public Hearing
“Regulation of Village Parks”

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 DiSalvo motioned the following:

Resolution Introducing Local Law
And Providing for Public Hearing
“State Route 9W Rezoning and Amendment to
the Table of Use Regulations”

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 hearing was opened at 6:10 P.M. for a Notice of Failure to Remedy Violation issued to the property owner of 8 Webb Lane, Tax Map No. 104-5-2, for the failure to maintain overgrowth of grass on property, in violation of the Village of Highland Falls Property Maintenance Code 170-6-A-4, and failure

to remove or properly register vehicle on property, in violation of Village Code 225-2-C. No one was present to represent the property.

Mr. Tim Doherty, Code Enforcement Officer, reported that the vehicle had been removed prior to the hearing, however, the grass was still overgrown. Mr. Doherty recommended to the Village Board that an appearance ticket be issued and also that the Village have the property cleaned up and levy all charges to the property tax bill. The Village Board agreed to have Tim issue an appearance ticket and have the property cleaned up. Public hearing closed at 6:15pm.

Trustee DiSalvo motioned the following:

Village of Highland Falls Board of Trustees
Resolution
Concerning Violation of Property Maintenance
8 Webb Lane 104-5-2

The motion was seconded by Trustee McCormick and unanimously carried. (A true and complete copy of this resolution is appended to the minutes)

A hearing was opened at 6:15P.M. for a Notice of Failure to Remedy Violation issued to the property owner of 6 Sweezy Ave., Tax Map No. 103-24-1, for the failure to remove a tree that is in danger of falling and hazardous conditions, in violation of the Village Code 221-2 & 3. No one was present to represent the property.

Mr. Tim Doherty, Code Enforcement Officer reported that the tree needs to be removed. It is a safety issue. Mr. Doherty recommends an appearance ticket be issued and have the Village cut the tree down and levy all charges to the property tax bill. The Village Board agreed to have Tim issue an appearance ticket and have the tree cut down. Public hearing closed at 6:20pm

Trustee McCormick motioned the following:

Village of Highland Falls Board of Trustees
Resolution
Concerning Violation of Property Maintenance
6 Sweezy Ave. 103-24-1

The motion was seconded by Trustee Gunza and unanimously carried. (A true and complete copy of this resolution is appended to the minutes)

A hearing was opened at 6:20 P.M. for a Notice of Failure to Remedy Violation issued to the property owner of 14 Hudson Dr., Tax Map No. 106-3-6, for the failure to maintain overgrowth of grass on property, in violation of the Village of Highland Falls Property Maintenance Code 170-6-A-4. No one was present to represent the property.

Mr. Doherty recommended to the Village Board that an appearance ticket be issued and also that the Village have the property cleaned up and levy all charges to the property tax bill. The Village Board agreed to have Tim issue an appearance ticket and have the property cleaned up. Public hearing closed at 6:25pm.

Trustee DiSalvo motioned the following:

Village of Highland Falls Board of Trustees
Resolution
Concerning Violation of Property Maintenance
14 Hudson Dr Section 106 block 3 lot 6

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 hearing was opened at 6:25 P.M. for a Notice of Failure to Remedy Violation issued to the property owner of 3 Mountain Ave. for the failure to put lids on trash containers and to properly screen trash containers from the street, in violation of the Village Code 194-2 and 194-5-C. No one was present to represent the property.

Mr. Doherty reported that the owner has not communicated with him at all. Mr. Doherty reported that he is willing to work with any property owner whenever violations are issued, however, he does not accept when a blatant disregard is shown for the notices. He recommends an appearance ticket be issued to the Property Owner. Public hearing closed at 6:30pm.

Trustee McCormick motioned that the Code Enforcement Officer issue an appearance ticket to the Property Owner of 3 Mountain Avenue in violation of Village Code 194-2 and 194-5-C.

The motion was seconded by Trustee Brown and unanimously carried.

The Police Department Report for August 2009 was presented to the Board for review.

The Fire Department Report for August 2009 was presented to the Board for review.

Trustee DiSalvo motioned to approve the request to take #428 and the Chief's Vehicle to the O.C. Parade in Walden on September 26th.

Motion was seconded by Trustee McCormick and unanimously carried.

Trustee McCormick motioned to approve the fundraising schedule of the Fire Department for Army 2009 Home Football Games. The motion was seconded by Trustee Brown and unanimously carried.

Trustee McCormick motioned to approve the application of Luis Rodriquez as an active member of the Fire Department, effective 9/22/09.

The motion was seconded by Trustee DiSalvo and unanimously carried.

The Code Enforcement Report for August 2009 was presented to the Board for review.

The Building Department Report for August 2009 was presented to the Board for review.

The Community Development Report for August 2009 was presented to the Board for review.

A motion was made by Trustee McCormick to accept the recommendation of Street Superintendent Gary Boyce to award the Little League Repairs project to the low bidders, Falvella Fence Co. for \$6,940.00 for the fence replacement and Mr. Anthony Galu for \$12,600.00 for the dugouts and concession repairs.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee Gunza asked whether the contract for the Little League Repairs should be written to ensure completion quickly since the Village has a reimbursable grant from Orange County for this project.

Trustee McCormick made a motion to have the contract specify a completion date of November 15th and that a \$100/day penalty will be assessed for each day after November 15th that the project is not complete.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee McCormick motioned to accept the recommendation of Police Chief Miller to award the purchase and installation of a security surveillance camera on the Masonic Lodge building to CDR Electronics for \$8,044.00.

The motion was seconded by Trustee Gunza and unanimously carried.

Trustee McCormick motioned to accept the recommendation of Community Development Director, Eileen Koppental to award the Memorial Park Gazebo Repairs Project to low bidder, Andes Contracting Corp. for \$7,116.00.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee McCormick motioned to approve the training request for Don Conley, Wastewater Treatment Plant Operator, to attend NYSDEC training from September 29th to October 1st in East Fishkill, at a cost of \$200.00 and that all necessary expenses incurred be approved.

The motion was seconded by Trustee Brown and unanimously carried.

Discussion was held on the request from Children's Angel Network to hold a Halloween event at Roe Park. Trustee Gunza asked if they intended to close in the Pavilion. John Rush, Fire Captain said the Fire Department was asked to do a room for the haunted house and he thinks they are planning on hanging tarps to cordon off rooms. Trustee DiSalvo said he would speak to Pat Flynn, one of the organizers, to discuss what they can't do to the Pavilion and what rules need be followed.

Trustee McCormick motioned to allow the Children's Angel Network to use Roe Park, the Pavilion and basketball court to hold a Halloween Event and to set-up on Friday, October 23rd, with the event to be held on October 24th from 3:30pm to 9:30pm, provided the necessary insurance papers and signed license agreement is given to the Village Clerk prior to the event.

The motion was seconded by Trustee Brown and unanimously carried.

Discussion was held on a request from the St. John's AME Zion Church to host a "Gospel in the Park" at Memorial Park on October 17th from 12:00noon to 3:00pm. Trustee Gunza responded that the

Village Board has no objection and Mayor D'Onofrio suggested to Trustee Brown that he inform the group to move forward with their event. Memorial Park is owned by the Town.

A letter was acknowledged from Mr. Terry Selby requesting to have an outdoor Gospel revival at the gazebo. He did not have a specific date, time, or location (which gazebo he was looking to use). The Mayor responded that he had spoken to Mr. Selby and that Mr. Selby indicated he would get back to the Mayor with more information later in the week. No Board action was taken at this time.

A letter was acknowledged from Mr. Mark Hulbrock requesting to have Municipal lot #1 or #2 reserved for the members of the International MR2 Owner's Club on October 10th from 12:00noon to 4:00pm. It was suggested that this group should continue to get parking spaces the way they have in the past, on a space available basis.

Mayor D'Onofrio motioned to table this request. The motion was seconded by Trustee McCormick and unanimously carried.

Trustee DiSalvo motioned the following:

Resolution for Final Notice and
Termination of Service for Unpaid Water Bills
For May 2009

The motion was seconded by Trustee Brown and unanimously carried. (A true and complete copy of this resolution is appended to these minutes)

A motion was made by Trustee Brown to approve the bills and claims for \$254,332.75 from the following listed funds:

FY 09-10 General Fund	\$ 73,683.94
Community Development	\$ 61,372.44
Water Fund	\$ 51,023.20
Sewer Fund	\$ 34,350.66
Capital Fund	\$ 33,902.51

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee McCormick motioned to approve the quote from Hydrovac Excavating for \$6,820.00 for Water Leak Repair Project.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee DiSalvo presented the Board with a list of proposed fine increases. The Mayor asked the Board to please review and get back to Trustee DiSalvo or the Village Clerk as soon as possible and that maybe a resolution can be ready for the next meeting to implement these changes.

The Mayor read a letter from Chief Miller regarding pit bulls on Main Street. The Chief reported that NYS law prohibits from discrimination of a particular breed of dog. He recommends that the Animal Code Section be amended to add wording that implies any dog that displays threatening behavior or causes an imminent danger.

Trustee DiSalvo motioned to have the Chief contact with the Village Attorney to draft an amendment to the Animal Code section that addresses this situation.

The motion was seconded by Trustee McCormick and unanimously carried.

The Village Board asked the Street Superintendent to look into small signs for the entrances of the Parks to indicate that it is a public park and no pets are allowed, specifically for Ladycliff Park and Memorial Park.

It was brought to the attention of the Board that a section of the stone wall around Center Street Park has been removed and compromising the strength of the wall. It was suggested that Trustee McCormick and Street Superintendent Gary Boyce make a list of any small masonry jobs that need to be taken care of and look at hiring a contractor that could come in and take care of them. No action was taken at this time.

The Mayor reported to the Board that West Point has requested the use of municipal lots 1 & 2 to park Army Football fans from where West Point will provide shuttle service to the games. They would like to do this for the remaining four home games. Street Superintendent Gary Boyce recommended not to close lot #1 because of local residents and shoppers who would need spaces to park. Trustee Gunza

recommended that the Village only allow for the next home game and see how it works before approving the remaining four games.

Trustee McCormick motioned to allow municipal lot#2 be reserved for the next four home Army Football games until the game starts at which time the lot would then be opened up for any available spots. The motion was seconded by Trustee DiSalvo and unanimously carried.

The Mayor reported to the Board that there are major repairs needed in the Wastewater Treatment Plant, specifically, a pump in the digester building as noted from the DEC. The Village Engineer has recommended that the Village purchase two pumps now since the second pump is over 20 years old. The total for two is approximately \$80,000. The rbc speed reducer also needs to be replaced. A crane is needed to install and cost to purchase and install is approximately \$27,000. The Village Engineer recommends purchasing a second one while the crane is here and putting it in place. This would cost approximately \$20,000 more. The elevator needs replacement and a belt press needs repairing. These repairs cost approximately \$20,000. The total of all repairs is approximately \$147,000.

The Board acknowledges that these are important repairs for the safety and continued operations of the Wastewater Treatment Plant. The Board suggested talking to the Village Treasurer about how these needed repairs can be funded.

Trustee Gunza informed the Board that the Village's NIMS report has been filed by the Town Disaster Preparedness Coordinator, but it will need updating. Also, that the back gate behind the Police Department will have a spring mechanism installed for safety and security reasons.

Trustee McCormick reported that he would like to see the Town Recreation assume responsibility at Roe Park for the operations of the activities. He also would like the Village to investigate savings if the dispatch is turned over to Goshen.

Trustee DiSalvo asked if the trash cans on Main Street have any type of attachment that would hold bags to clean up after dogs. Mr. Boyce said that there is, however, the bags are not cheap. No action was taken at this time.

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

The meeting closed at 7:40pm.

Regina M. Taylor, Village Clerk