

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

August 1, 2011

A regular meeting of the Board of Trustees of the Village of Highland Falls was held in Village Hall, 303 Main Street, Highland Falls, New York on August 1, 2011.

The Meeting was called to order by Mayor D'Onofrio at 7:00 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  
News of the Highlands Editor, Mary Jane Pitt  
Police Sergeant, Ken Scott  
Fire Captain, John Rush  
Village Street Superintendent, Pat Patterson  
Planning Board member – Fred Brennan  
Village Residents – Ray Deveraux – 48 Ondaora Pkwy; Gus Koutsourades – Owner,  
West Point Motel, (156 Main Street), Bonnie Snow -41 Ft.  
Putnam Street, Tom Pitt-24 Lake St., Maureen Flanagan & Jean  
Woodruff – 8 Jevens Rd, Barbara ( Charlie) Murphy – 27 Webb  
Lane, Mary Russell-166 Old State Rd  
Town Residents – Ann Marie & Sal Fiducia-Corbin Hill, Ft. Montgomery

A motion was made by Trustee Brown to approve the below listed minutes as follows:

a) Regular Meeting – July 18, 2011

The motion was seconded by Trustee DiSalvo and unanimously carried.

A Public Hearing, as duly advertised, was opened at 7:07 P.M. for the purpose of receiving public comment to consider adoption of Introductory Local Law entitled “Standards for Lodging Houses & Single-Family & Two-Family Dwellings with Lodgers.” Mayor D'Onofrio reported that the original Notice of Hearing, Affidavit of Posting, Affidavit of Publication have been presented before the Board and are ordered to be filed. The Mayor stated that this law will modify the Village of Highland Falls housing standards law and zoning law to regulate lodging houses and the number of lodgers permitted in single-family and two-family dwellings. The Mayor read some of the highlights that make up the local law to include the definition of a lodger, the requirement for registering a lodger house, the length of a registration, the registration fee, the parking requirements, the “sun-set provision” for compliance, the appeals process and the enforcement and penalty process. He stated the law was developed from meetings, open to the public, which were held between the Village Board, the Village Planning Board, the Building Department and the Village Attorney.

Resident questions included – “What is a lodger”, “Who is the law aimed at”, “Did the Village take the economic implications into account,” “Doesn't this just punish those who abide by the law”, “Does the Board realize this could change the composition of the Village” and “Who will enforce it”

Trustee McCormick explained the history of how lodgers came about. The Mayor read the definition of a lodger from the law, which states-“ any person occupying a lodging house or a maximum of one person not a member of the family occupying a single family dwelling or each unit in a two-family dwelling unit for remuneration.” The Mayor pointed out that a Property owner will have two years to comply. Mr. Pitt commented that he thinks that is too long to give them. Trustee DiSalvo commented that lodgers were not meant to be permanent tenants. The situation has created some public safety concerns for overcrowding conditions and parking concerns. The Mayor and Trustees agreed that this should have been done years ago. Trustee Gunza commented that there will always be people who skirt the law, however, this does not mean the Village should ignore the situation. Other emergency responders in the room attested to the potentially dangerous situations they have encountered while responding to calls.

Trustee Gunza commented that she believes the composition of the Village has already changed because changes to the code had not been made sooner. No further comments or questions asked, Mayor D'Onofrio motioned to close the public hearing. The motion was seconded Trustee Brown and unanimously carried. The public hearing closed at 7:30pm.

Trustee McCormick motioned the following:

Village of Highland Falls  
Resolution of Adoption  
Local Law 03-2011  
“Standards for Lodging Houses & Single-Family & Two-Family Dwellings with Lodgers.”

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

  5   Ayes        0   Noes  
motion carried. ( A true and complete copy of the resolution is appended to these minutes)

A Public Hearing, as duly advertised, was opened at 7:30P.M. for the purpose of receiving public comment to consider adoption of Introductory Local Law entitled “Amendment to Vehicles and Traffic .” Mayor D’Onofrio reported that the original Notice of Hearing, Affidavit of Posting, Affidavit of Publication have been presented before the Board and are ordered to be filed. The Mayor stated that this law will amend Section 108-59 titled “Schedule X: Truck Route System,” of Chapter 108, titled “Vehicles and Traffic, to delete “Main Street”.

Questions from the public included “what size truck “ and “will signs be posted to indicate this”.

The Mayor responded that this law came about because of trucks traveling too fast on Main Street and the weight causing infrastructure damage. He reported that this will apply to 5-ton trucks and also that signs will be posted. Mr. Koutsourades asked for clarification on definition of Main Street. The Mayor replied, from Mountain Avenue, north, to Thayer Gate. Charlie Murphy commented that one tractor-trailer can do the damage of 5000 automobiles. No further comments or questions asked, Mayor D’Onofrio motioned to close the public hearing. The motion was seconded Trustee Brown and unanimously carried. The public hearing closed at 7:40pm.

Trustee Gunza motioned the following:

Village of Highland Falls  
Resolution of Adoption  
Local Law 04-2011  
“Amendment to Vehicles and Traffic.”

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

  5   Ayes        0   Noes  
motion carried. ( A true and complete copy of the resolution is appended to these minutes)

The Mayor reported on a situation that came to his attention from a resident regarding a complaint she made to the Building Department in November 2008, with no action being taken until May of 2011, when the complainant asked about the status. The Mayor reported he asked the Building Department for a summary of the complaint and read the report. The Mayor assured the complainant that he would make sure the Building Department will correct this oversight and make sure the property owner will comply with Village codes.

The Police Department Report for July 2011 was presented to the Board for review.

Trustee McCormick motioned to approve new Fire Department members, Kristina Marinos and, Abraham Jean Philippe, upon completion of their physicals and proper paperwork being turned into the Village Clerk.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee McCormick motioned the following:

Village of Highland Falls Board of Trustees  
Resolution  
Final Notice and Termination of Service for May 2011 unpaid Water Bills

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

5 Ayes            0 Noes  
motion carried (A true and complete copy of the resolution is appended to these minutes).

Trustee Gunza motioned to approve HFFMCSD using Roe Park and pavilion for O'Neill Varsity, JV and modified baseball from March 1, 2012 to June 10, 2012, from 2:30 P.M to 7:00 P.M. pending the necessary insurance paperwork being turned into the Village Clerk's Office prior to the start of the season.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee McCormick motioned to table the request from the Town of Highlands Ambulance Corp for the use of North Main Street and Municipal Lot#2 on October 15, 2011 from 6:00am to 5:00pm pending clarification on the use of Municipal lot# 2.

The motion was seconded by Trustee Gunza and unanimously carried.

A letter from the Department of Health regarding some violations at the Roe Park Pool was acknowledged by the Village Board. The Mayor directed the Clerk to respond to the Department of Health that corrective actions have been taken.

A motion was made by Trustee Brown to approve the bills and claims for \$161,346.01 from the following listed funds:

|          |              |             |
|----------|--------------|-------------|
| FY 11-12 | General Fund | \$58,119.32 |
|          | Section 8    | \$56,258.00 |
|          | Water Fund   | \$28,627.30 |
|          | Sewer Fund   | \$17,022.77 |
|          | Capital Fund | \$ 1,318.62 |

The motion was seconded by Trustee McCormick and unanimously carried.

Mayor D'Onofrio informed the public that they may see trucks from West Point in the Village because West Point has a large water main that runs through the Village and they are looking to do maintenance on the pipe.

Mayor D'Onofrio thanked the Police Department and DPW for doing their part in cleaning up the Village, whether it be with the recent drug arrests or trimming and cutting brush around the community. The Mayor also said we should get lights on the Memorial Park fountain, Hannibal Statue and the Gardens.

Trustee McCormick read the water report, highlighting that the reservoir is at a good capacity for this time of year. Other items mentioned by Trustee McCormick included: approaching the Town of Highlands to consider bus service to the Garrison Train Station and possibly draw people to our community; quality of life issues in that people need to clean up yard sale signs after the event; the Village needs to tighten up requirements for digging in Village Streets and he would like to see lights in the fountain also.

Trustee DiSalvo and Trustee Gunza both echoed the sentiments of the Mayor regarding the Police Department and DPW. Trustee Gunza also reported that repairs to the Village Hall continue and Trustee Brown reported that the WWTP has received good reports from the DEC.

Mr. Gus Koutsourades asked if the Village has considered going to quarterly billing. The Mayor responded that the Village has looked into it.

Trustee DiSalvo motioned to enter executive session to discuss DPWEA contract negotiations. The motion was seconded by Trustee Brown and unanimously carried.

The Board entered executive session at 8:19pm.

The regular meeting reconvened at 9:30pm.

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

The meeting closed at 9:30pm.

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Regina M. Taylor, Village Clerk