

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

December 7, 2015

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 December 7, 2015.

The Meeting was called to order by Mayor Flynn at 7:05 P.M.

Members present were:

Mayor Patrick Flynn  
Trustee Brian Aylward  
Trustee Anthony Farina  
Trustee Robert Mellon  
Trustee Barbara Murphy

Also present were:

Village Clerk, Regina M. Taylor  
Village Treasurer, Ed Magryta  
Village Attorney, Alyse Terhune  
Police Chief, Kenneth Scott  
Fire Chief, Steve Suarez  
Planning Bd Chairman, James Ramus  
News of the Highlands Editor, Mary Jane Pitt  
Approximately 4 community members

Mayor Flynn opened the meeting with a moment of silence for all our fallen soldiers and community members since the last meeting.

The Mayor commented that both the public hearings for the Introductory Local Laws referring to the Waterfront Overlay District and Condominium Use remain open. The Village Attorney handed out revisions of the laws to the Village Board that included feedback from both the Planning Board and the Building Inspector. The Attorney recommended that the hearings remain open. The Attorney pointed out the changes suggested by the Planning Board and Building Inspector and reminded the Village Board that it is up to them to accept the revisions or not. The Attorney also mentioned that she removed a Planned Residential Special Use section because the Planning Board has some concerns over the wording. The Attorney commented that the Planning Board found it confusing and they have concerns over the density allowed. The Attorney asked the Village Board to take a good look at it. The Attorney asked the Planning Board to give feedback.

The Attorney pointed out the revision to the Waterfront Overlay District included adding a SPA as a use and only added it for this district.

The Village Attorney asked that the Village Board and Planning Board give feedback from the presented revisions so that a final version can be issued for the public to view and also to be sent to the County for review. The Mayor asked the Village Board to review the documents and commented that the discussion will continue at the next meeting.

Frank Schmidt, 1 Hudson Dr, addressed his concerns to the Village Board about the Waterfront Overlay District. Mr. Schmidt commented that his property has the potential to be affected by any development below his property, near the river, if this law is adopted. Mr. Schmidt disagreed with the Village Attorney who commented that it is not a re-zoning of the entire waterfront area. The Attorney explained that it is a floating zone. The Attorney explained that it would allow someone who has property, within a certain distance to the river, to apply to the Village Board for a designation as Waterfront Overlay for a particular purpose. The Attorney commented that the Village Board has the ability to grant the request or not. If granted it would still go to the Planning Board for a special exception use and the Planning Board review will decide if it's an appropriate use.

Trustee Mellon asked if parameters could be set. The Attorney commented that the Village Board could define parameters as they want.

Mr. Schmidt asked the Board to leave the zoning as it is and not to put in this floating zone. Mr. Schmidt commented that he believes this could affect property values of the properties above the zone.

The Village Attorney suggested that it is a zoning change and it would not be unreasonable to re-notice the hearings once there is a final version. The Attorney commented that it will still be a couple of months before anything is settled, if the Village Board wants to go forward with the law.

No more comments were heard. The Mayor reminded everyone that the hearings remain open.

Discussion was held on the request from the Cancer Research Institute to hold a bike rally in June 2016. The Board liked the concept of the event, but would like a more concrete plan from the group before they agree to anything.

Trustee Murphy motioned to approve the concept of the bike rally proposed by the Cancer Research Institute to be held in June 2016 and suggests final approval be given after final plans are presented.

The motion was seconded by Trustee Aylward and unanimously carried.

The Mayor announced the 5-person Re-Organization Study Committee to be the following:  
Barbara Murphy, Pete Kinney, Bill Edsall, Kostantinos Fatsis and Pat Flynn.

Discussion was held on the request from the Recreation Director to have a key to the Senior Center. Trustee Aylward motioned to allow the Recreation Director, Aaron Falk, to have a key to Senior Center. The motion was seconded by Trustee Mellon and unanimously carried.

Discussion was held on the salary of the Village Historian. The Mayor reported to the Board that the Historian was concerned that the Town did not include the amount the Village paid her in salary in the Town budget for CY 2016. The Mayor reported that he was under the impression that the Boards had worked that out and that the Town would cover the whole salary of the Historian while the Village covered the contractual costs of the office.

The Mayor suggested that the Village Board go back to the Town and ask them to pick up the additional \$1500. No action was taken.

Discussion was held on renewing the membership in the Association of Defense Communities.

Trustee Murphy motioned to approve renewing the membership in the Association of Defense Communities at the cost of \$240.00/year.

The motion was seconded by Trustee Mellon and unanimously carried.

Discussion was held on the ESCO Street Lighting Letter of Intent. The Village Attorney recommended to the Board not to sign the LOI as written. The Attorney reported that one problem she sees is that the timeframe requirements are unacceptable for a municipal entity. The Village Attorney also commented that she doesn't see language that doesn't bind the Village. The Village Attorney also reminded the Board that a project of this size would have to go through the bidding process. The Village Board agreed with the Attorney's suggestion for her to mark up the language to protect the Village. No action was taken.

Trustee Aylward motioned to approve the below listed minutes as follows:

- a) Regular Meeting –November 16, 2015

The motion was seconded by Trustee Murphy and unanimously carried.

Trustee Farina motioned the following:

Resolution  
Establish Lead Agency  
Waterfront Overlay Zoning District

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

5 Ayes   0 Noes

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

Trustee Murphy motioned the following:

Resolution  
Establish Lead Agency  
Zoning Law Amendments To Regulations  
Governing Multi-Family and Condominium  
Development

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

5 Ayes   0 Noes

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

Trustee Aylward motioned to transfer \$2,000.00 from General Contingency (A.1990.1990) to Safety Inspection (A.3620.0400) to cover property maintenance costs, per the recommendation of the Village Treasurer. The motion was seconded by Trustee Farina and unanimously carried.

Trustee Murphy motioned to transfer \$4,997.00 from General Contingency (A.1990.1990) to Police & Fire Retirement (A.9015.0800) to cover the 2016 Annual payment, per the recommendation of the Village Treasurer. The motion was seconded by Trustee Farina and unanimously carried.

Trustee Aylward motioned to transfer \$60,874.25 from the General Fund in 1<sup>st</sup> Niagra Bank to the General Fund in Chase Bank to cover FEMA clawback of funds, per the recommendation of the Village Treasurer. The motion was seconded by Trustee Farina and unanimously carried.

Trustee Aylward motioned the following budget amendment:

Increase G0000.4960 (FEMA Federal Aid), Increase G8110.041 (Sanitation (FEMA)  
To pay clawback of FEMA Funds, per the recommendation of the Village Treasurer.

The motion was seconded by Trustee Murphy and unanimously carried.

Trustee Aylward motioned to approve the resignation of Part time Police Officer Francis Muscente, effective November 4, 2015.

The motion was seconded by Trustee Murphy and unanimously carried.

Trustee Murphy motioned to approve Adam Solan a member of the HFFD pending the results of his physical.

The motion was seconded by Trustee Aylward and unanimously carried.

Trustee Aylward motioned to cover the parking meters from December 1, 2015 to January 1, 2016 to promote local shopping during the holiday season.

The motion was seconded by Trustee Farina and unanimously carried.

A motion was made by Trustee Aylward to approve the bills and claims for \$580,443.71 from the following listed funds:

|          |              |              |
|----------|--------------|--------------|
| FY 15-16 | General Fund | \$383,461.30 |
|          | Section 8    | \$ 55,814.00 |
|          | Water Fund   | \$ 34,946.31 |
|          | Sewer Fund   | \$106,222.10 |

The motion was seconded by Trustee Farina and unanimously carried.

Board Comment:

Trustee Murphy reminded everyone about the auxiliary vendor fair on Saturday, December 12<sup>th</sup> at the Firehouse. Trustee Murphy reported that most of the Art Walk is gone and that it was successful and the Village looks forward to its return in the Spring. Trustee Murphy commented that the donated sculpture is in place in front of Thayer Gate and we are looking for a dedication in the Spring.

Trustee Farina commented on the good experience he had with recreation basketball. Trustee Farina reported that it was a fun experience for all involved.

Trustee Mellon reported that he would have the Street Superintendent cover the exit sign in the Senior Center over the double doors in the back, as the door is not operational at this time.

Trustee Aylward reported on the great job Vision did at Winterfest last weekend, the successful vendor fair held at the Library last week and the educational Math event held at the Intermediate School last week.

Mayor Flynn reported that the Recreation Department would be sponsoring a caroling event on Wednesday December 23<sup>rd</sup> open to all the community to participate in.

Trustee Aylward motioned to go into executive session to discuss a specific individual in a personnel matter. The motion was seconded by Trustee Farina and unanimously carried.

The Board entered executive session at 8:21P.M.

Trustee Farina motioned out of executive session. The motion was seconded by Trustee Mellon and unanimously carried.

The Regular meeting reconvened at 9:55P.M. No Board action was taken.

Trustee Murphy motioned to adjourn. The motion was seconded by Trustee Aylward and unanimously carried.

The meeting closed 9:55P.M.

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Regina M. Taylor, Village Clerk