

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

June 6, 2016

A regular meeting of the Board of Trustees of the Village of Highland Falls was held in Town Hall, 303 Main Street, Highland Falls, New York on June 6, 2016.

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

Members present were:

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

Also present were:

Village Clerk, Regina M. Taylor
Village Treasurer, Ed Magryta
Village Attorney, Alyse Terhune
Chief WWTP Operator, John Jones
Police Chief, Kenneth Scott
Police Officers, Tom Kleveno, Jeff Pitt, Jason Torpey,
Police Dispatcher, Gwen Specht
NYSUPA Attorney, Keith Byron
Planning Board Chairman, James Ramus
Town Councilwoman, June Gunza
Orange County Legislator, James DiSalvo
Camera Operator, Tierney Scott
Approximately 15 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 asked for comments on agenda items.

Merv Livsey Jr., 107 Mountain Ave. – first questioned the attorney if she felt that the public hearing at the May 16th meeting was held under the guidelines of state law for public hearings. The Village Attorney responded that it was. Mr. Livsey asked why the fire department hasn't been brought up in discussions on consolidation. Mayor Flynn responded that all departments will be looked at. Mr. Livsey stated his opposition to the Police Board of Commissioners resolution and his opposition to consolidation in all areas.

Trustee Murphy presented the Fire Department Report. Trustee Murphy reported that the siren that has been inoperable for many years is close to being put back into service. Trustee Murphy commended the individuals responsible for planning the carnival held last week. Trustee Murphy commented that it was a new ride company and feedback on them and the event itself was that it was an overall success.

Police Chief Scott presented the Police Department Report for May 2016. Chief Scott also informed the public of a prescription disposal box that is located in the Police Department for anyone to discard pills legally, with no questions asked. Trustee Murphy asked if there had been any success with the cameras and identifying dog walkers that don't clean up after their dogs. Chief Scott responded that there may be a lead on her specific concern.

Trustee Farina presented the Water Report for May 2016

Trustee Farina presented the Recreation Report and pointed out that Little League is winding down and the introduction to lacrosse program is going well. Trustee Farina also reminded residents that Long Pond is now open on weekends until the school year is out when it will be open all week until school reopens in September.

Trustee Aylward presented a report on the Senior Center. Trustee Aylward reported that Trustee Mellon is looking at the electrical concerns in the Senior Center and had a local vendor looking at the air conditioning system. Trustee Aylward reported that the next Highlander meeting will be a luncheon to recognize the newly elected officers.

The Treasurer's report was presented by Village Treasurer Ed Magryta and included the following updates:

- a. Monthly Financial Update-Revenue and Expense Control Reports available for review.
- b. FY 2015/16 Year End has commenced. All spending is for FY 2016/17.
- c. DPW contract negotiations –meeting is scheduled for week of 6/6.
- d. 2016/2017 Annual budget is in effect. OSC filings are complete.
- e. Fiscal Audit- review with Board complete.
- f. NY Class Account statements(reserve funds)2016 funding was approved and transactions are complete. Statements are available for review.

Mayor Flynn reported the following:

1. there are several activities planned in the area this coming month and that the Bike Ride on June 25th is still looking for as many volunteers as possible. The Mayor asked if anyone is interested to contact the Chamber.
2. that he received a letter from the Town Supervisor to update the Board on their progress with taking over the Corbin Hill water system, including the water tanks.
3. thanked the American Legion for holding the Memorial Day ceremonies and remarked that they will also take over the Flag Day ceremonies on June 11th at Memorial Park and the wreath laying ceremony that Rolling Thunder will be holding on June 12th.
4. explained that the DEC is holding up the permits for the chemical applications to clear up the algae in Roe Pond.
5. updated the Board on a citizen's complaint about the condition of the sidewalk and fire hydrant by 8 South Street is being looked at by the Street Superintendent and Chief Water Plant Operator.
6. that he met with School officials regarding water concerns and reported that it appears there is inadequate water pressure for the hydrants on the southside of O'Neill. The Mayor reported that he would like to see a new main brought to O'Neill with help from the school, town and village through grants.
7. asked the Village Attorney to look into laws regarding 'resident only' parks.

The Mayor reported on a letter received from Mr. Sierra regarding a water issue at his property at 65 Schneider Ave. Trustee Mellon responded that he has been waiting for a report from the Village Engineer and that a right of way to go on the property might be needed from the property owner. Trustee Mellon commented that there are issues on the street and another project in the works that would tie into this line. Trustee Mellon reported that it's an old sewer pipe that goes through the property and that is why a right of way may be needed.

Daniel Malarkey, Town of Highlands, came before the Board for a promise that the St. Patrick's Day parade can again be held. Mr. Malarkey showed the Board a commitment letter from the Chamber to again supply insurance. Mr. Malarkey would like the parade to coincide with the flag raising, on March 4th, 2017.

In another matter, Mr. Malarkey asked the Board to look into making sure that the bald syprus tree at the top of Station Hill Rd be given recognition of historical significance.

Mayor Flynn asked Mr. Malarkey to turn in an event form regarding the St. Patrick's Day request and to work with the Historian on the tree matter.

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

- a) Regular Meeting –May 16, 2016
- b) Special meeting- May 16, 2016

The motion was seconded by Trustee Murphy and unanimously carried.

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

- a) Special meeting- May 16, 2016

The motion was seconded by Trustee Murphy and unanimously carried

Mayor Flynn read a statement to answer questions asked at the public hearing held on May 16th regarding the resolution establishing a separate Board of Police Commissioners. The Mayor read the Resolution in its entirety.

Trustee Mellon motioned following:

Village of Highland Falls
Board of Trustees
Resolution Establishing A Separate Board of Police Commissioners

The motion was seconded by Trustee Aylward 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 the minutes.)

Trustee Aylward motioned to approve the Juneteenth Cultural Festival holding a flag ceremony on Saturday, June 18th at 10:30am in Memorial Park, followed by a parade (similar to the MLK march) to Roe Park for a full day of events.

The motion was seconded by Trustee Farina and unanimously carried.

Trustee Mellon motioned to approve the request from the PBA to hold a "National Night Out" on August 2, 2016 (raindate of August 9th) in Municipal lot#2 from 5:00pm to 9:00pm.

The motion was seconded by Trustee Aylward and unanimously carried.

Trustee Mellon motioned to approve the appointment of Sean Lackhan, Video Camera Operator, effective June 6, 2016 at the pay rate of \$50/meeting and with maximum probation.

The motion was seconded by Trustee Farina and unanimously carried.

Trustee Mellon motioned to approve the chemical bids for FY16-17 per the recommendation of the Chief Water Plant Operator.

The motion was seconded by Trustee Farina and unanimously carried.

Trustee Mellon motioned to transfer \$7,000.00 from A5142.04 (Snow Contractual) to A5182.04 (Street Lights) to cover additional power requirements for FY 15-16.

The motion was seconded by Trustee Murphy and unanimously carried.

Trustee Murphy motioned to transfer \$10,000.00 from A5142.012 (Snow OT) to A1410.01 (Clerk Salary) to cover PT Clerk position hired mid-year and not budgeted for in FY15-16.

The motion was seconded by Trustee Aylward and unanimously carried.

Trustee Murphy motioned to transfer \$3,000.00 from A1990.1990 (General Contingency) to A1010.04 (Trustee Contractual) to cover Rondout Consulting fee for consolidation study for FY 15-16.

The motion was seconded by Trustee Mellon and unanimously carried.

Trustee Murphy motioned to transfer \$4,500.00 from A9010.08 (State Retirement) to A1010.04 (Trustee Contractual) to cover cost of Rondout Consulting for FY15-16.

The motion was seconded by Trustee Mellon and unanimously carried.

Trustee Mellon motioned to move the first meeting in July from Monday, July 4th to Tuesday July 5th at 7:00pm in Town Hall due to the holiday.

The motion was seconded by Trustee Murphy and unanimously carried.

A motion was made by Trustee Farina to approve the bills and claims for \$154,685.71 from the following listed funds:

FY 15-16	General Fund	\$14,641.43
	Water Fund	366.89
	Sewer Fund	\$17,573.19
FY 16-17	General Fund	\$65,586.85
	Section 8	\$55,977.00
	Sewer Fund	\$540.35

The motion was seconded by Trustee Aylward and unanimously carried.

Public Comment:

James Ramus- 31 Liberty Street, asked the Board if the meetings of the Board of Commissioners would be open to the public, under the open meetings law. Mr. Ramus also asked if meeting minutes would be available, to the extent that non-personnel matters are discussed. Mr. Ramus commented that he heard a cell tower is still being talked about and reminded the Village Board that there is now a cell tower law in the Village Code and any plans would need to go before the Planning Board. Mr. Ramus asked if the hydroelectric plan was proceeding on the brook. Mr. Ramus voiced his concern over West Point and the possible project for wind turbines out on Rt 293 because of eagle's nests in the area. Mr. Ramus asked how the survey on LED lighting was going.

The Village Attorney commented that she had not yet determined the extent to which a Board of Police Commissioners is subject to the Open Meetings Law and was looking into the matter for the Village Board. She would render her opinion before the Board of Police Commissioners is seated and that opinion would be public.

The Mayor responded that there is a survey being conducted now about the DPW location for 2 flag pole cell towers and another possible site, however, that site is not owned by the Village. Mayor Flynn reported that we are looking into the hydro project, that we are not looking at wind turbines. Mayor Flynn commented that we are looking for as many "green fixes" as we can find. Mayor Flynn responded that the community will be a part of whatever goes on regarding these things.

Trustee Mellon explained that ESCO is in the middle of doing a survey on the LED lighting and when the information is available, the Village can look at other companies for cost estimates.

Frank Schmidt, 1 Hudson Dr. commented on the Resolution passed regarding the Establishing a Separate Board of Police Commissioners that he requested the Board restrict members to Town of Highlands residents. Mr. Schmidt asked if compensation was included in the new budget.

Mayor Flynn responded to the question of residency by stating that the Village Board would like to keep their options open. Mayor Flynn responded to the question of compensation and confirmed that nothing was put into the new budget regarding compensation.

James DiSalvo, 20 Villa Parkway, asked if the policy for holding events at Roe Park has changed. The Mayor responded no. Mr. DiSalvo asked when the Board discussed the resolution just passed because there was none before the vote.

Mayor Flynn responded that many meetings were held regarding this decision.

Fran Camporeale, Village Parkway, commented that she is opposed to consolidation and that the Village Police needs to stay.

Keith Byron, Attorney for NYSUPA, asked for a copy of the Mayor's response and when Board discussions were held. Mr. Byron commented that NYSUPA supports the local police officers.

Mayor Flynn provided Mr. Byron a copy of his statement and remarked that many executive sessions were held regarding this topic.

Merv Livsey, Jr. 7 Mountain Ave, asked how could the Village Board pass a commission and have no idea how much it will cost the taxpayer.

Officer Jeff Pitt, asked if there are minutes on these discussions. The Village Attorney explained that executive sessions held to discuss personnel matters such as the personnel issues that surrounded the consideration of a separate Board of Police Commissioners are not required to have minutes taken where the Village Board takes no action. All resolutions related to the Board of Police Commissioners were enacted in open session.

Teresa Frank, 110 Mearns Ave , presented the Village Board with suggestions for updating the Village Code regarding backyard poultry and presented a letter from her neighbor with no complaints regarding her having a chicken coup on her property.

Trustee Murphy motioned to go into executive session. The motion was seconded by Trustee Mellon and unanimously carried. The Chief of Police's attendance was requested at the executive session.

The Board entered executive session at 8:41P.M.

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

The Regular meeting reconvened at 10:31P.M.

Upon reconvening in open meeting, the Board discussed multiple complaints received from community residents regarding Officer Des Jardine's hostile manner while addressing residents, some of which had been observed by Village personnel. Discussion was held with the Police Chief regarding the resident's fear of addressing complaints to the Police Department so complaints were addressed to the Mayor and Board members directly.

Trustee Aylward motioned to terminate the probationary period of Part Time Police Officer Hal Des Jardines under Rule XV, paragraph 4, of the Orange County Civil Service Rules for the Classified Service.

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

3 Ayes 1 Nay (Farina) 1 Abstain (Flynn)

motion carried.

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

The meeting closed at 10:32P.M.

Regina M. Taylor, Village Clerk