

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

April 6, 2009

A special 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 April 6, 2009.

The Meeting was called to order by Mayor D'Onofrio at 6:30 P.M.

Members present were:

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

Member absent was:

Trustee Harold Brown

Also present were:

Village Clerk, Regina M. Taylor
Village Treasurer, Ralph J. Walters
News of the Highlands Editor Emeritus, Frederick Brennan
Street Superintendent, Gary Boyce
Village Code Enforcement Officer, Tim Doherty
Chief Water Plant Operator, Kevin Hurst
Police Chief Peter Miller
Fire Captain, John Rush
Members of the DPWEA
Members of the Highland Falls PBA (Police & Dispatchers)
Pellwood Lake Homeowners Association members: Barbara Fallon, Norman DeYoung,
Richard Branigan, Michael Lewis, Nancy Hess, Kevin & Eleanor Lavelle

Before the reorganization of the Village, the Mayor congratulated Joseph McCormick & James DiSalvo on the March election and welcomed them as Trustees on the Board for the next four years.

The first order of business was the Annual Reorganization of the Village of Highland Falls.

Mayor D'Onofrio made the following appointments: (see attached).

The Reorganization of the Village ended at 6:40pm.

A Public Hearing as duly advertised for the purpose of obtaining public input and comment on the Village Budget for fiscal year 2009-2010 was opened by Mayor D'Onofrio at 6:45 P.M.

The Notice of Hearing of the Tentative Budget, as duly advertised, is appended to these minutes.

The Tentative General Fund Budget for FY 2009-2010 in the amount of \$4,041,486.00 was read by function. The tentative tax rate is \$15.18 per thousand.

The Tentative Water Fund Budget for FY 2009-2010 in the amount of \$609,135.00 was read by function. There is no increase in water rates at this time.

The Sewer Fund Budget for FY 2009-2010 in the amount of \$827,387.00 was read by function. There is no increase in sewer rates at this time.

The Treasurer reported that right now the budget shows an increase of 17.1296% over last year's budget. There are no vehicle requests and funding for two positions in the DPW have been eliminated. He is waiting for third quarter revenue figures from the county before he finalizes the revenue budget.

John Might, PBA President, asked what revenues are the Village waiting on. Mr. Walters responded that we receive sales tax and mortgage tax revenues, however, with the state of the economy today, these numbers have dropped off some from last quarter and last year. They are not projected to increase until the economy starts to turn around.

The Mayor pointed out to the public that the budget must be adopted by May 1, 2009. He thanked the Treasurer, the Clerk, and members of the previous Board and current Board for the time spent on this budget. He remarked that it has been very difficult, probably the most difficult in decades, but they will continue to work on it to try to bring the tax rate down. He also told those present that he, the Board and all non-union employees would not be receiving a raise in salary.

A meeting date of April 13th at 6:00pm was set for a budget workshop.

No further questions or comments from the public, the public hearing closed at 7:00pm on a motion from Trustee McCormick, seconded by Trustee DiSalvo and unanimously carried.

The Regular Meeting was opened by Mayor D'Onofrio at 7:00pm.

Trustee Gunza motioned to accept the resignation of Joseph McComick from the Village Planning Board. The motion was seconded by Mayor D'Onofrio and unanimously carried.

Trustee McCormick motioned to accept the resignation of James DiSalvo from the Village Planning Board. The motion was seconded by Mayor D'Onofrio and unanimously carried.

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

- a) Special Meeting – March 16, 2009
- b) Regular Meeting – March 16, 2009
- c) Special Meeting – March 25, 2009

Motion was seconded by Trustee McCormick and unanimously carried.

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

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

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

Tim Doherty, Code Enforcement Officer pointed out to the Board that attached to his report was a memo outlining the need to screen in trash containers around all commercial/apartment properties. This would require an amendment to the Village code for Solid Waste that currently calls for screening of trash containers from the properties that face Main St. only. He said he would contact the Village attorney about drafting the new law.

Mr. Doherty also thanked Police Chief Miller and his department for quickly responding to remove an abandoned vehicle.

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

A motion was made by Trustee Gunza to approve the request from the Fort Montgomery Elementary School to use Roe Park for its field day on Friday, May 29, 2009 from 7:30am to 12:30pm,(rain date: Monday, June 1, 2009) upon the license agreement and certificate of insurance being provided and with the provision that the Fort Montgomery Elementary School Staff will be responsible to clean-up the pavilion area, playground area, and Roe Park field from trash, put trash barrels on the perimeter of Roe Park.

The motion was seconded by Trustee DiSalvo and unanimously carried

A motion was made by Trustee DiSalvo to approve the request from Sacred Heart School to use Municipal lot#2 for an enrichment program through National Science Discovery Center from 12pm Monday, May 11th to approximately 3:00pm Tuesday, May 12th, upon the license agreement and certificate of insurance being provided to the Village Clerk prior to the event.

The motion was seconded by Trustee McCormick and unanimously carried

A motion was made by Trustee McCormick to approve the request from Ann Marie Flynn to use Roe Park Field, playground, gazebo and picnic area for a Family Fun Day St. Jude Fundraiser Saturday, May 2, 2009 from 10:00am – 6:00pm ,(rain date: Sunday May 3, 2009) upon the license agreement and certificate of insurance being provided and with the provision that Ann Marie Flynn will be responsible to clean-up the pavilion area, playground area, gazebo and Roe Park field from trash & put trash barrels on the perimeter of Roe Park upon completion of event.

The motion was seconded by Trustee DiSalvo and unanimously carried

A motion was made by Trustee McCormick to approve the following:

**NOTICE OF HEARING
VILLAGE OF HIGHLAND FALLS BOARD OF TRUSTEES
DRAFT COMPREHENSIVE PLAN**

And cause such notice to be published in the News of the Highlands at least 10 days prior to the hearing date.

The motion was seconded by Trustee DiSalvo unanimously carried(A true and complete copy of the notice is appended to these minutes)

A letter from Lynn Ann Colonell, 11 Liberty Street, requesting that 3 disabled spaces be installed in front of her house, was acknowledged.

Mayor D'Onofrio motioned to table this request until Police Chief Peter Miller could go and check out the parking situation in that area now.

The motion was seconded by Trustee DiSalvo and unanimously carried.

A letter from Mr. Jose Sierra, 65 Schneider Ave. was acknowledged. Mr. Sierra is following up on a request to have the sidewalk in front of his house repaired. He has sent two previous letters and would like to know when he can expect work to be done.

Mr. Gary Boyce, Street Superintendent, responded that the work is scheduled for this Spring. Mr. Boyce would like to meet with Trustee McCormick, Street Commissioner, to set up a schedule for the projects that need to be done.

A letter from Scott Berkoben, 211 Center Ave., Westwood, NJ, was acknowledged. He has requested permission to "Adopt-a-Highway".

Mayor D'Onofrio motioned to table this request until more information about this request can be received.

The motion was seconded by Trustee McCormick and unanimously carried.

A motion was made by Trustee DiSalvo to approve the Teamsters request to allow John Jones, President of the DPWEA, to attend an 8 hour Shop Seward training session on April 17th at the Union Hall, in Newburgh, with pay.

The motion was seconded by Trustee McCormick and unanimously carried.

A memo was acknowledged from Street Superintendent Gary Boyce to advise the Board that approximately 20ft of road and wall on Chestnut Street are collapsing at the east end of the street.

The Mayor asked Mr. Boyce to get estimates on the repair work needed.

The Pellwood Lake Homeowners Association came before the Board to voice their concerns about the Town Police occupying a portion of the Ambulance Building. Barbara Fallon, 25 Main Street, spokeswoman for the group asked the Village Board if the Town needed to follow any regulations or Building codes in order to do this. She said the Association would like to know the status of when the Town Police would be in the building. Ms. Fallon said they went to the Town Board and were told that they would look into it. They are now coming to the Village Board for answers.

Trustee McCormick responded that the ambulance building is a Town Building used for municipal services. He mentioned another Village property that was changing the use of the building and therefore needed to go before the Planning Board to show how the use was changing. Because the ambulance building is a municipal building, the Town was exempt. Trustee McCormick said he would speak to the Building Inspector and report back to the Board.

Officer John Might asked the Board for their opinion on the Town Police going into the ambulance building. He wanted to know if they are in favor of this or if they looked into stopping it.

Trustee McCormick said he would speak to the Building Inspector and report back to the Board if any planning board or building department requirements were overlooked or need to be addressed. He also said it would make sense if the Town Police Department remained in Fort Montgomery since their population is there, however, he realizes that financially they are using an existing Town Building to accommodate the Town Police.

Mr. DiSalvo also responded that he would have liked the Town to consolidate services with the Village when the opportunity was presented.

The Mayor responded that he would contact the Village Attorney to have him look into the municipality rules and regulations regarding this matter.

A motion was made by Trustee DiSalvo to approve the bills and claims for \$118,203.90 from the following listed funds:

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|-----------------------|-------------|
| General Fund | \$24,292.10 |
| Community Development | \$56,918.05 |
| Water Fund | \$16,626.93 |
| Sewer Fund | \$ 7,644.31 |
| Capital Fund | \$12,722.51 |

The motion was seconded by Trustee McCormick and unanimously carried.

Trustee McCormick motioned to approve the appointment of Robert Mellon, term to expire December 31, 2011 & Harvey Green, term to expire December 31, 2012, to the Planning Board to complete the terms of Joseph Galu, and Joseph McCormick respectively and to accept the appointment of Konstantinos Fatsis, term to expire December 31, 2011, as a alternate Planning Board member to complete the term of James DiSalvo.

The motion was seconded by Trustee Gunza and unanimously carried.

Trustee McCormick motioned to allow the girls scouts to set up a table for a fundraiser at the Easter Egg Hunt on Saturday, April 4th at Roe Park.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee Gunza reported that she is almost finished with the municipal fee schedule and would like Trustee McCormick and Trustee DiSalvo to review the planning board fees and make any recommendations.

The Mayor appointed Trustee DiSalvo and Trustee Brown along with the Village Treasurer, Ralph Walters to negotiate the Firehouse Truck Room Lease.

Mr. Sandy Anderson, 78 Ondaora Park, came before the Board to inform them of the upcoming Earth Day events to be held on April 25th at the Highland Falls Library and to ask the Board for their support and participation. He asked if two parking spaces in front of Library could be reserved for the event, from 11:00am to 4:00pm. The Board thanked Mr. Anderson for his comments and acknowledged the event as very worthwhile.

Eleanor Lavelle, 33 Main St, asked the Board what the process is if someone wanted to be on the Planning Board. The Mayor responded that the person should submit a letter of interest to the Village Clerk. She asked if these procedures were followed. She responded that the appointments made tonight were a done deal.

Nancy Hess, 10 Pellwood Lake Rd, said she came to the meeting tonight to express her interest in becoming a member of the Planning Board, only to find out tonight the positions are filled. She also said that a procedure is needed.

Tony Galu, 14 Cedar Lane, asked the Mayor if he remembered asking him to be on the Board. The Mayor said yes, but it was not to be approved.

Trustee Gunza suggested that an advertisement be placed in the News of the Highlands for a limited time when an opening occurs in the Planning Board

The Mayor responded that after tonight, the procedure will be for anyone interested in a position on the Planning Board to submit a letter of interest to the Village Clerk.

A motion was made by Trustee McCormick to enter executive session to discuss specific employees. The motion was seconded by Trustee DiSalvo and unanimously carried.

The Board entered executive session at 7:45pm.

A motion was made by Trustee McCormick to come out of executive session. The motion was seconded by Trustee DiSalvo. The Board re-enter the Regular Meeting at 8:30pm.

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

The meeting closed at 8:30pm.

Regina M. Taylor, Village Clerk