

REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF HIGHLAND FALLS  
May 17, 2010

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 May 17, 2010.

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 June L. Gunza  
Trustee Joseph McCormick

Member Absent : Trustee James DiSalvo

Also present were:

Village Clerk, Regina M. Taylor  
News of the Highlands Editor, Mary Jane Pitt  
Building Inspector, John Hager  
Police Chief, Peter Miller  
Fire Chief, Erik Smith  
2<sup>nd</sup> Asst. Chief, John Rush  
Village Resident: Gus Fishburne 17 Regina Rd.

The Mayor opened the meeting by presenting Mr. Gus Fishburne with the second monthly Community Service Award for his spirit, caring & commitment to the community, especially through his picking up of trash along the Village streets and highways, especially those roadways leading into the Village and West Point. The Mayor commented that it is people like Mr. Fishburne who help make Highland Falls a great place to live and for making a difference in the community.

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

- a) Special Meeting – April 29, 2010 Budget
- b) Special Meeting – April 29, 2010 Moratorium
- c) Regular Meeting – May 3, 2010
- d) Special Meeting – May 10, 2010

The motion was seconded by Trustee Brown and unanimously carried.

A Public Hearing, as duly advertised, was opened at 6:10P.M. for the purpose of receiving public comment to consider adoption of Introductory Local Law entitled "Moratorium on Conversion of Single and Two Family Homes" Mayor D'Onofrio presented for the record the Notice of Hearing and Affidavit of Publication.

The Mayor reported that the hearing would remain open until comments are received from the Orange County Planning Board. He reported that we should receive comments before the next scheduled Board meeting and hopefully at the June 7<sup>th</sup> meeting the law will be adopted.

No comments or questions were received. The public hearing remained open and the Board meeting continued.

The Building Department report for April 2010 was presented to the Board for review. John Hager reported that Larry Marshall, Code Enforcement Officer, was working hard on Village code enforcement. He also continues fire inspections. Trustee McCormick noted the many complaints addressed and agreed the job is being done in the Village.

No action was taken on the request of Police Chief Peter Miller to attend the NYS Chief of Police Conference from July 18-21 in Rochester, NY.

Trustee McCormick motioned to approve the Village Clerk and Deputy Clerk attending a NYS Retirement Workshop on June 3<sup>rd</sup> from 9:00am to 12:00pm in Albany, NY and that all necessary and actual expenses incurred be approved.

The motion was seconded by Trustee Gunza and unanimously carried.

Trustee McCormick motioned to approve the service agreement with Fred Lewis Computers, Inc. for labor costs for the fiscal year June 1-May 31, 2010.

The motion was seconded by Trustee Brown and unanimously carried.

Discussion was held on the repairs needed at the Roe Park Pool in order that the Village be in compliance with the Department of Health and for the safety of users. Trustee McCormick commented that he would like to see the pool expenses be a Town-wide expense as the pool programs are managed by the recreation department. He commented further that discussions with the Town have been futile because of the needed repairs. Trustee McCormick responded that hopefully after the pool is repaired, talks can begin on the pool becoming a Town-wide expense.

Trustee McCormick motioned the following:

Bond Resolution of the Village of Highland Falls, Adopted May 17, 2010,  
Authorizing the Reconstruction of the Village Pool at Roe Park, Stating That the Estimated Maximum Cost  
Thereof is \$50,000.00, Appropriating Said Amount Therefor,  
and Authorizing the Issuance of \$50,000.00 Serial Bonds to Finance Said Appropriation

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

4 Ayes    0 Nays    1 Absent

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

Trustee McCormick motioned the following:

Resolution  
Village of Highland Falls Board of Trustees  
Storm Water Management Program Annual Report

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

4 Ayes    0 Nays    1 Absent

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

Trustee McCormick motioned to approve the request from the Town of Highlands Little League Program to hold a fundraiser at the Little League Field, on Saturday, June 5<sup>th</sup> from 5:30pm -9:00pm provided all the necessary licenses and insurance paperwork is turned into the Village Clerk prior to the event, from the Town of Highlands Little League Program and Mr. Pat Flynn.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee McCormick motioned to approve the request from the Community Action Group to hold a Town Rally in municipal lot#2, on Saturday, June 5<sup>th</sup> from 9am -12:00pm provided all the necessary licenses and insurance paperwork is turned into the Village Clerk prior to the event.

The motion was seconded by Trustee Brown and unanimously carried.

A letter was acknowledged from Mr. Robert Silk requesting the property located at 4 West Street, be granted a change of use. He would like to make it a two family dwelling. Mr. Hager said he spoke with Mr. Silk and told him that the zoning in that area is ok for what he would like to do, however, because the last use of the property was a non conforming commercial property, he would need to go the Planning Board for a change of use approval. The Mayor asked Mr. Hager to respond to Mr. Silk with the information that he needs to go before the Planning Board. Mr. Hager responded that he would contact with Mr. Silk.

A motion was made by Trustee Brown to approve the bills and claims for \$40,405.93 from the following listed funds:

FY 09-10 General Fund	\$ 23,408.88
Water Fund	\$ 6,814.19
Sewer Fund	\$ 7,562.76
Capital Fund	\$ 2,620.10

The motion was seconded by Trustee McCormick and unanimously carried.

Chief Miller reported to the Board that he had spoken with Mr. Sydor, 21 Center Street, Mr. Sydor has yet to respond to the Chief's request for a video tape that allegedly supports Mr. Sydor's account of an incident on Center Street that Mr. Sydor reported to the Board at the April 19<sup>th</sup> meeting.

The Chief also reported to the Board that he has received word that anti-war demonstrators will be in the Village on May 22<sup>nd</sup> for West Point's graduation.

The Mayor reported that there are three planters on Main Street that he knows are not being cared for and said he will check to see if any business owner would like to take care of one, in front of his/her store.

The Mayor asked the Board to consider a taxi license fee, similar to the towing license fee, in order to find a source of revenue.

The Mayor reported that the last time the water tanks were painted was in 1991.

The Mayor thanked the Rotary Club for helping with the distribution of flags on the Veteran's graves over the weekend and encouraged community support of upcoming events to be held around the community, ie Touch a Truck, St. Jude Day, West Point Graduation.

Trustee McCormick reported that he would like to talk to the Building Department about current codes regarding retaining walls and if changes might be needed.

Fire Chief Erik Smith requested that Engine #428 be allowed to attend a wet down on June 5<sup>th</sup> in Vails Gate. Trustee McCormick motioned to approve the request of Fire Chief Smith to allow Engine# 428 attend a wet down in Vails Gate, NY on Saturday, June 5<sup>th</sup>.

The motion was seconded by Trustee Gunza and unanimously carried.

A letter was received from Mr. Jose Sierra thanking the Board for the work that has begun on his property at 65 Schneider Avenue, but asking when they might be finished. The Mayor asked Trustee McCormick to follow up with Gary Boyce, Street Superintendent, on this matter.

The Mayor read a statement regarding an incident he was involved in on April 27<sup>th</sup> at approximately 6:00pm. He stated that as he passed the Bodega at 327 Main St. he had noticed a group of people "hanging out". He commented that this establishment has had numerous complaints against it for groups hanging out, using foul language, spitting on the sidewalks and blocking the sidewalks for pedestrians. He said he stopped and asked the people to move on and went inside and talked to either the owner or son, and asked him to make sure these people moved on and not let them hang out in front of the store. The Mayor said he went to the Police Station to get assistance to make sure the sidewalk could remain clear. The Mayor said it is his job to make sure the streets in the Village are safe and to provide the best living conditions that he can. The Mayor said if he needs to take a harassment ticket for that, he will take it for the Village.

Trustee Gunza motioned to enter executive session to discuss a particular fire department volunteer. The motion was seconded by Trustee McCormick and unanimously carried. The Board entered executive session at 6:45pm.

The regular meeting reconvened at 7:05 p.m.

The Board agreed to purchase orthotics needed for a particular firemen who is medically cleared as an interior firefighter as long as he has these orthotics in his boots. The Village will purchase the orthotics which will remain in the fire boot, in the fire house, and will remain in the possession of the Village Fire Department if and when that firefighter no longer volunteers for the Village. The orthotics will not be replaced by the Village, if lost or stolen.

The Mayor reported to the Board that he had a complaint from Kevin Lavelle, Pellwood Lake, of an odor problem with the sewer pump station near the ambulance building. Mr. Lavelle claims that when the pump is run, the exhaust goes into his nearby windows. The Mayor said he asked Todd Atkinson, Village Engineer to investigate, and Todd did not find anything conclusive. He suggested maybe running the pumps for (2) thirty minute intervals a month, instead of for (1) hour straight. No action was taken.

The Board asked the Clerk to try and get an ad for grass cutting services into the newspaper so a contractor can be hired. They would like a bid opening as soon as possible so grass cutting can be funded under the new fiscal budget.

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

The meeting closed at 7:50 p.m.

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Regina M. Taylor, Village Clerk