

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

November 15, 2010

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 November 15, 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 James DiSalvo  
Trustee June L. Gunza  
Trustee Joseph McCormick

Also present were:

Village Clerk, Regina M. Taylor  
2<sup>nd</sup> Asst. Fire Chief, John Rush  
Police Sergeant, Jim LaVelle  
News of the Highlands Editor, Mary Jane Pitt  
Village Residents, Sheri LaFurge – Mountain Ave., Aaron Falk-82 Mearns Ave  
Ray Deveraux- 20 Ondaora Pkwy , Ruby Alexander – 21 Prospect St., Linda Rush -  
Center St , West Point Motel Owner-Gus Koutsourades – 361 Main Street  
Side Street Saloon Owner – Loma Yehl – 8 Schneider Avenue

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

a) Regular Meeting – November 1, 2010

The motion was seconded by Trustee DiSalvo and unanimously carried.

A Public Hearing, as duly advertised, was opened at 6:01P.M. for the purpose of receiving public comment to consider adoption of Introductory Local Law entitled “Amendment to Parks.” 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 Village Clerk explained that this law is a clean-up of the Village Code to make the Parks Law consistent with the recently adopted law “Dogs Prohibited in Certain Public Parks” by inserting Center Street Park in front of Ladycliff Park and Memorial Park.

Aaron Falk and Sheri LaFurge remarked that they feel the problem isn't going away by prohibiting dogs in the parks, but rather that something needs to be done to make people clean-up after their dogs.

Mayor D'Onofrio motioned to close the public hearing. The motion was seconded by Trustee DiSalvo and unanimously carried. The public hearing closed at 6:04pm.

Trustee DiSalvo motioned the following:

Village of Highland Falls  
Resolution of Adoption  
Local Law No. 3 of 2010  
“Amendment to Parks”

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)

Trustee McCormick motioned to table the introductory local law “ Repair and Maintenance of Sewer Laterals”. The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee McCormick commented that he did not agree with homeowners being responsible for digging in the Village Streets when a sewer lateral needs maintenance or repair. The Mayor agreed with Trustee McCormick. The Mayor commented that the Board should meet to discuss this matter again before a local law is introduced.

The Building Department Report for October 2010 was presented to the Board for review.

Trustee McCormick motioned to accept the surplus equipment bid of \$1,757.00 from Mr. John Lewis, 15 Memory Lane, Slate Hill, NY for the 2002 Ford Crown Victoria vin# 2FAFP71W02X131814 upon the recommendation of Police Chief Peter Miller.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Discussion was held on the memo received from the Village Attorney, Alyse Terhune, regarding the zoning on Route 9W, in response to a concern from Mr. Konstantinos. In the Village Attorney's memo, she recommended to rezone the Pointer's Echo property that fronts Mearns Avenue, back to residential, similar to the zoning of the Fatsis Property on 9W. She further recommended that in order to attract commercial development along 9W, the Board adopt a local law which modifies the application of bulk regulations to properties, such as these, that are located in two or more zoning districts. (a complete copy of the recommendations is attached to these minutes.)

Trustee McCormick motioned to accept the recommendation of the Village Attorney and direct her to draft the necessary laws to rezone the Pointer's Echo Property and modify the application of bulk regulations to apply to straddled parcels such as these.

The motion was seconded by Trustee Gunza and unanimously carried.

Trustee Brown motioned to approve the covering of the Parking Meters from December 1, 2010 through and including January 2, 2011, with meters back in operation on Monday, January 3, 2011.

The motion was seconded by Trustee McCormick and unanimously carried.

Trustee DiSalvo motioned to approve the recommendation of Chief Water Plant Operator, Kevin Hurst, to dispose of the nine year old computer in the Water Plant.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee McCormick motioned to approve the training request of the Chief Water Plant Operator, Kevin Hurst, for the Water Plant employees to attend a seminar "Water Well Rehabilitation" on November 16<sup>th</sup> from 8:00am -4:00pm, in Newburgh, NY at a cost of \$35.00 per person.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee Gunza motioned to accept, with regret, the notice of intention to retire from Police Chief Peter Miller, with an effective date to be determined by the New York State Retirement System, not to extend beyond November 30, 2010.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee McCormick motioned to accept the low quote of \$750.00 from Mr. Anthony Sorace, P.L.S. to provide survey services for the Village property known as Highland Street.

The motion was seconded by Trustee DiSalvo and unanimously carried.

A motion was made by Trustee Brown to approve the bills and claims for \$45,642.95 from the following listed funds:

General Fund	\$18,457.46
Water Fund	\$ 6,791.22
Sewer Fund	\$12,753.62
Capital Fund	\$ 7,640.65

The motion was seconded by Trustee DiSalvo and unanimously carried.

The Mayor asked the Board to consider holding the General Election for the Village at the Highland Falls Intermediate School on March 15, 2011 because the parking situation there is better than the Fire Departments and if they need to charge, it would be less than \$100.00.

Trustee Brown motioned to hold the General Election for the Village of March 15, 2011 at the Highland Falls Intermediate School.

The motion was seconded by Trustee DiSalvo and unanimously carried.

The Mayor updated the Board on the following matters:

The PBA has presented an Improper Practice Charge against the Village because of the Villages' recent adoption of an Employee Handbook.

He reported that over the weekend an electrical fire occurred in the panel at the Wastewater Treatment Plant and he has asked James Richardson, (the electrician who installed the panel) to meet with the Village Engineer to discuss what needs to be done in the headroom in order to bring the plant up to code and safety regulations.

The Mayor reported to the Board that he has asked the Orange County Youth Bureau to review the allotment that the Village currently receives for the DARE program. He believes the numbers may not represent the true number of youth in the Village. He explained that the Orange County Youth Bureau would have to ask the State to review and will follow up with Village when a response is received.

The Mayor reported that he had asked the Department Heads about attending one of the Board's monthly meetings and they responded that they would put in for overtime whenever they attended a meeting.

Trustee Gunza asked if the Board and Department Heads could come up with some creative ideas to curb overtime expenses. She suggested again checking into a part time sewer plant operator to cover the weekend hours at the plant instead of overtime for the regular full time employees.

Trustee Gunza also asked if the Village was eliminating funding in the Village budget for Big Brothers/Big Sisters and the Mayor responded that he would like to speak to the Director first.

Trustee McCormick brought up for discussion a June 2010 sewer bill for a property located at 39 Villa Parkway. The owner would like a portion of the bill forgiven since it was due to a pipe that burst over the winter. Trustee McCormick asked if the Board could show some compassion in this situation.

The Mayor responded that the Board made a decision in June not to make any changes to this bill, but that doesn't mean that the Board couldn't change its mind. The Mayor pointed out that the decision that was made in June was consistent with every prior request the Board had received from property owners regarding this type of situation. The Mayor asked who should decide when it would be ok to reduce bills and by how much?

Trustee Gunza commented that the Village should stick to its policy. Trustee Brown agreed. No action was taken.

Trustee McCormick asked the Mayor about a recent breakfast meeting that the Mayor had with the West Point Garrison Commander and why the Trustees never get a report on these meetings. The Mayor responded that sometimes nothing is discussed. He would like to maintain a good rapport with the Garrison Commander to discuss Village matters.

Ms. Sherri Lafurge asked the Mayor who pays for breakfast and the Mayor responded that he does out of his own money, although he could ask for reimbursement, but he doesn't. Mr. Aaron Falk asked if every Board member should be invited to these meetings. Trustee McCormick commented that when three members are together it would constitute a meeting and be under more regulations. He commented that he only would like to be informed of the discussions.

Trustee McCormick reported that Bog Meadow was at 90% capacity and that he supports televising Village Board meetings.

Trustee Gunza asked if there was an update on the drainage work to be done on Laurel Lane. The Mayor reported there was no update and asked the Clerk to follow-up on the matter. Trustee Gunza asked if there was an update on the West Point Lands and the Mayor reported no.

Trustee Brown said he was very impressed with the training session he attended at the Fire House recently and thanked the Fire Department for all they do.

Trustee McCormick motioned to approve the request from 2<sup>nd</sup> Assistant Fire Chief, John Rush, to take engine 430 to Garrison, sometime this month, for rope training pending notification of the date and time.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Mrs. Linda Rush asked the Board if there was anything they could do to help with the bullying problems that seem to be escalating during after school hours. She asked if there was a way to hold parents accountable for their children's actions. The Mayor commented that this is really a social issue not a municipality's issue. The Mayor recommended that people attend the bullying workshop that the Intermediate School was going to be hosting later in the week. Trustee Gunza suggested more Police presence when the children are walking home.

Mrs. Loma Yehl, owner of the Side Street Saloon brought to the Board's attention some incidences in the Village that she claims have given her establishment a bad reputation. She asked the Mayor if he's discussed these incidences with the Garrison Commander and discussed keeping Cadets out of the Village. Mrs. Yehl commented that she does everything she can to deter problems and disperses any problems out of the Side Street.

Mr. Gus Koutsourades asked the Board to consider televising their meetings. He also commented to the Board that even though they claim "stellar" audits, the tax rate increases show that problems exist and he would like to see Village and Town officials meet to find ways to consolidate services.

Mr. Koutsourades also asked why the second meeting of the month was held at 6:00pm and not at 7:00pm like the first meeting of the month. The Mayor pointed out to Mr. Koutsourades that budgets and audits are two different things, suggested he attend the budget meetings in the early part of next year and that there is no reason for the difference in time.

Mr. Ray Deveraux asked the Board to comment on his request from the last meeting to have Village Board meetings televised. Trustee Gunza responded that she was in favor of televising the meetings and Trustee McCormick said he would like to see something portable and that could be used at the library. The Mayor commented that he would take it under consideration during budget sessions.

Trustee Gunza motioned that the second meeting of the month be changed to 7:00pm effective with the December 20<sup>th</sup> Board meeting and that it be changed at the reorganization meeting in April to reflect the new time.

The motion was seconded by Mayor D'Onofrio and unanimously carried.

Ms. Ruby Gibson, 21 Prospect Street, asked the Board who she should call about a dog complaint and to report that last month was terrible with many youth hanging out in the streets near her home being loud and noisy.

The Mayor responded that she should call the Police for both of those type of complaints.

Mayor D'Onofrio motioned to enter executive session to discuss a particular employee and police union contract negotiations. The motion was seconded by Trustee McCormick and unanimously carried.

The Board entered executive session at 7:19pm.

The regular meeting reconvened at 7:49pm.

Trustee DiSalvo motioned to approve Sergeant Scott as Officer in Charge upon the Chief's retirement until such time as a new Chief is hired.

The motion was seconded by Trustee Brown and unanimously carried.

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

The meeting closed at 7:49 pm.

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Regina M. Taylor, Village Clerk