

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

October 21, 2013

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 October 21, 2013.

The Meeting was called to order by Mayor Patrick Flynn at 7:00 P.M.

Members present were:

Mayor Patrick Flynn  
Trustee Harold Brown  
Trustee James DiSalvo  
Trustee Robert Mellon  
Trustee Barbara Murphy

Also present were:

Village Clerk, Regina M. Taylor  
Village Treasurer, Ed Magryta  
News of the Highlands Editor, Mary Jane Pitt  
Police Chief, Kenneth Scott  
Kevin Coffey, TV Camera Operator

Approximately 15 Community Residents

Mayor Flynn opened the meeting with a moment of silence for all of our fallen soldiers and the passing of local residents, Vera Cafarelli, Terence Clayborne & Shawn Howell.

Trustee Brown motioned to open the Public Hearing, as duly advertised, for the purpose of receiving public comment to consider adoption of the Introductory Local Law entitled –“ Reduction in Membership of the Consolidated Board of Appeals”. The motion was seconded by Trustee DiSalvo and unanimously carried.

The Public Hearing opened at 7:03pm. The Mayor read a copy of the introductory law that would reduce the number of members of the Town of Highlands Consolidated Zoning Board of Appeals from seven (7) members to five (5) members. The Notice of Hearing, affidavit of posting, affidavit of publication were presented. There was no public comment on the introductory local law.

Trustee DiSalvo motioned to close the public hearing. The motion was seconded by Trustee Mellon and unanimously carried. The public hearing closed at 7:06pm.

Trustee DiSalvo motioned the following:

Village of Highland Falls  
Resolution of Adoption  
Local Law 02-2013  
“Reduction in Membership of the Consolidated Board of Appeals”

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

5 Ayes    0 Nays

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

Trustee DiSalvo motioned to open the Public Hearing, as duly advertised, for the purpose of receiving public comment to consider adoption of the Introductory Local Law entitled –“ Amendment to the Property Maintenance Law”. The motion was seconded by Trustee Mellon and unanimously carried.

The Public Hearing opened at 7:08pm. The Mayor read a copy of the introductory law which would impose a surcharge when a property owner fails to correct a Property Maintenance law violation and the Village then performs the work to correct the violation; impose an interest charge of 9% per annum when the Village’s bill for payment of the work performed is not timely paid; reduce the minimum time period for compliance with an order to remedy from seven (7) days to five (5) days; and clarify other provisions of the Property Maintenance Code. The Notice of Hearing, affidavit of posting, affidavit of publication were presented.

Mayor Flynn summarized for the public the advantages of this local law and thanked the Building Department and the Village Attorney for getting this law drafted. Trustee Mellon asked if the posting of the sign starts the five day period, to which the Mayor replied that it did. The Mayor stated that this law is not about punishing people, rather encouraging all property owners to take care of their properties, most importantly, absentee landlords. Trustee Murphy concurred and added that it will also encourage banks that foreclose on properties to also adhere to the property maintenance code.

All questions being asked and no further comments, Trustee Murphy motioned to close the public hearing. The motion was seconded by Trustee Mellon and unanimously carried. The public hearing closed at 7:19pm.

Trustee Murphy motioned the following:

Village of Highland Falls  
Resolution of Adoption  
Local Law 03-2013  
“Amendment to the Property Maintenance Code”

The motion was seconded by Trustee DiSalvo and on a roll call vote, the results which follow:  
5 Ayes 0 Nays  
motion carried. ( A true and complete copy of this resolution is appended to the minutes.)

Trustee DiSalvo motioned to open the Public Hearing, as duly advertised, for the purpose of receiving public comment to consider adoption of the Introductory Local Law entitled –“ Surcharge and Interest Charge for Snow & Ice Removal”. The motion was seconded by Trustee Brown and unanimously carried.

The Public Hearing opened at 7:21pm. The Mayor read a copy of the introductory law which would impose a surcharge of \$25.00 each time the Village removes snow or ice from a sidewalk adjoining private property where the property owner has failed to do so and impose an interest charge of 9% per annum if the Village’s bill for payment for such work is not timely paid.” The Notice of Hearing, affidavit of posting, affidavit of publication were presented.

Mayor Flynn stated that this law is not intended to fine people, but to have them comply with the code to keep sidewalks clean. Trustee Brown was concerned with the elderly or disabled and not able to shovel. Mayor Flynn explained that he is working to generate a list of these areas and hopefully have volunteers who will be able to assist with the shoveling where needed. Mr. Ramus had concerns with sidewalks that aren’t real sidewalks, but curbed areas in front of homes. The Mayor reported these situations will have to be dealt with on a case by case basis.

All questions being asked and no further comments, Trustee Murphy motioned to close the public hearing. The motion was seconded by Trustee Mellon and unanimously carried. The public hearing closed at 7:27pm.

Trustee Brown motioned the following:

Village of Highland Falls  
Resolution of Adoption  
Local Law 04-2013  
“Surcharge and Interest Charge for Snow and Ice Removal”

The motion was seconded by Trustee Murphy and on a roll call vote, the results which follow:  
5 Ayes 0 Nays  
motion carried. ( A true and complete copy of this resolution is appended to the minutes.)

Trustee Mellon presented the Wastewater Treatment Plant report for the month of September.

Village Treasurer, Edward Magryta updated the Board that he received an engagement letter from Nugent & Haeusler, PC to begin the FY end of May 31, 2013 audit approximately November 18, 2013; reported that the AUD was completed and filed on 9/30/13; provided the Mayor a revenue and expense report and related that this report will be available on a monthly basis to any Trustee that would like it and that he (the Treasurer) will be glad to show anyone how to retrieve it from the financial program; reported that he will follow up with the Village Attorney about rectifying bonding documents for the WWTP financing and informed the Board that a petty cash fund for the Independence Day Committee had been established and that he (Village Treasurer) will review all transactions. Mr. Magryta recommended the Board give official approval on this.

Treasurer Magryta also asked the Board if they wanted him to look further into the use of the Village’s federal tax number by the former 4<sup>th</sup> of July Committee. No Board action taken.

Trustee Murphy reported that the Fire Department has installed a new digital sign in front of the building through their own fundraising efforts and that no taxpayer funds were involved. Trustee Murphy reported that the Fire Department participated in the recent Fall Foliage Festival and thanked the TOH Ambulance Corp for their efforts in the organization of it.

The Mayor thanked the TOH Ambulance Corp and Marty Byrnes for a fantastic job with the Fall Foliage Festival. The Mayor reported on some upcoming community events, including the JIO Homecoming Parade, Halloween events and a food drive in November. The Mayor also commented that Board will be looking to update the municipal fee schedule. The Mayor informed the public that he has talked with people wanting to invest in the community and will keep everyone up to date on any developments.

Trustee Brown motioned to deny the request from the property owner of section 107-3-3 for a waiver of penalties assessed on June property taxes and the December sewer bill.

The motion was seconded by Trustee Mellon and unanimously carried.

Discussion was held on 21 Hillside Ave. No Board action was taken.

Trustee DiSalvo motioned to approve the following listed minutes as written:

Regular Meeting - October 7, 2013

The motion was seconded by Trustee Murphy and unanimously carried.

Trustee DiSalvo motioned to authorize the establishment of a \$400.00 petty cash fund for the Independence Day Committee and authorize the Village Treasurer to administer the account.

The motion was seconded by Trustee Brown and unanimously carried.

Trustee Murphy motioned to authorize the Mayor to sign the engagement letter with Nugent & Haeusler, P.C. to conduct the audit for fiscal year ending May 31, 2013, at the cost not to exceed \$20,250.00

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee Brown motioned to accept the resignation/retirement of Part Time Police Officer, Leon Jones, with regret, effective October 12, 2013.

The motion was seconded by Trustee DiSalvo, with thanks for his many years of service, and unanimously carried.

Trustee Mellon motioned to approve the request from Children's Angel Network for a Halloween Parade, to be held on Thursday, October 31, 2013, from 4:30pm to 6:00pm from Memorial Park to municipal lot#2, and for a Truck o Treat to take place in municipal lot#2 following the parade.

The motion was seconded by Trustee Murphy and unanimously carried.

A motion was made by Trustee Brown to approve the bills and claims for \$177,981.34 from the listed funds:

FY 13-14	General Fund	\$71,384.44
	Water Fund	\$16,294.89
	Sewer Fund	\$80,275.81
	Capital Fund	\$10,026.20

The motion was seconded by Trustee DiSalvo and carried as follows:

4 Ayes 0 Noes 1 Abstain(Mellon)

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

The meeting closed at 8:51 P.M.

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Regina M. Taylor, Village Clerk