

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

December 6, 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 December 6, 2010.

The Meeting was called to order by Mayor D'Onofrio at 7:00 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  
News of the Highlands Editor, Mary Jane Pitt  
Fire Chief, Erik Smith  
2<sup>nd</sup> Asst. Chief, John Rush  
Police Sgt. Ken Scott, Police Officer, Adam Bruce  
Village Residents, - Ray Deveraux- 20 Ondaora Pkwy., Mr & Mrs. Paul Yehl-45Cozzens Avenue, Aaron Falk- 82 Mearns Avenue

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

- a) Regular Meeting – November 15, 2010
- b) Special Meeting – December 2, 2010

The motion was seconded by Trustee DiSalvo and unanimously carried.

The Mayor reported that the Introductory Local Law entitled “Amendment to the Zoning Law and Map/Split Lots” has been given to each Board member. He reminded the Board and the public that this law refers to rezoning of the Pointer’s Echo Motel property on 9W.

Trustee Brown Gunza motioned the following:

Village of Highland Falls  
Resolution Introducing Local Law  
And Providing for Public Notice and Hearing

The motion was seconded by Trustee DiSalvo 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)

The Police Department Report for November 2010 was presented to the Board for review. Sgt Scott added that the parking meters have been covered for the month of December.

The Fire Department Report for November 2010 was presented to the Board for review. Chief Smith added that he has attached a preliminary report, as requested from the Board, about the parking situation on side streets.

The Community Development Report for November 2010 was presented to the Board for review.

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

Trustee Gunza motioned to approve the request of the Village Treasurer and Deputy Treasurer to attend a seminar on 207-C Police Claims, in Tarrytown, NY, on Tuesday, December 7<sup>th</sup> from 10:00am to 12noon at no cost for the seminar and that all necessary and actual expenses incurred be approved.

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee McCormick motioned to approve the request of the Village Clerk to attend a NYCOM Village Election Workshop in Fishkill, NY, on Tuesday January 11, 2011 from 1:00pm -4:00pm at the cost of \$60.00 and that all necessary and actual expenses incurred be approved.

The motion was seconded by Trustee DiSalvo and unanimously carried.

A letter from Mr. Jason Ben-Zeev, property owner of 260 Main Street was acknowledged. Mr. Ben-Zeev is concerned with repairs needed to the sidewalk in front of his property. The Mayor reported that this sidewalk and a few others will be repaired during the paving of streets project which will begin in early Spring 2011.

Trustee Gunza motioned to approve the Village Engineer along with the Chief Wastewater Treatment Plant Operator, developing specifications and to go out for bid, the roof repairs needed for the Wastewater Treatment Plant.

The motion was seconded by Trustee Brown and unanimously carried.

A motion was made by Trustee Brown to approve the bills and claims for \$371,331.52 from the following listed funds:

General Fund	\$256,938.82
Section 8	\$ 60,762.33
Water Fund	\$ 18,531.96
Sewer Fund	\$ 35,098.41

The motion was seconded by Trustee DiSalvo and unanimously carried.

Trustee DiSalvo motioned that the second meeting in December be cancelled and that the next regular scheduled Village Board meeting be held on Monday, January 3, 2011 at 7:00pm.

The motion was seconded by Trustee Brown and unanimously carried.

The Mayor updated the Board on the following matters:

The school street value was fixed.

The recent DEC inspection of the Wastewater Treatment Plant was very good. The Village is compliant in all matters necessary.

There is an emergency on Villa Parkway concerning a broken sewer line and the Village will need to repair it tomorrow. The Mayor also asked the Board to please review the draft local law regarding sewer repairs and give any comments to him or the Clerk so that this law can be introduced at the January 3<sup>rd</sup> meeting. The Mayor has indicated he would like the wording to be similar to the water code, in that, the property owner is responsible to the curb or end of property line and that the property owner incurs the costs to prove the problem exists in the street, but the Village makes repairs in the street. Trustee McCormick concurred that he does not want contractors digging in the streets.

Regarding the recent concerns about bullying, the Mayor suggested anyone with concerns talk with Police Sgt. Scott or Principal Connors at the Highland Falls Intermediate School. The Mayor reported having gone to a lecture sponsored by the school on this matter and was impressed with all the schools are doing to combat this problem.

The Mayor reported that the hydrants needing replacement will be done in the Spring of 2011 during the Street Paving Project and the repairs needed in the Sewer Plant headworks building are being looked at.

The Mayor also reported that he and Trustee McCormick met with Councilman Livsey and Deputy Supervisor Gokey to discuss Roe Park and the maintenance of the park. The Town representatives agreed that many activities at the Park are done through Town Recreation and they will take back to their Board ideas in how operation costs might be shared.

The Mayor followed up with the recent discussions on televising Village Board meetings by informing the Board and public that he has spoken with representatives of the School District and they are looking at ways to possibly share equipment. Mrs. Yehl asked if meetings could be held at the Library and the Mayor responded that the Library is not video equipped at this time.

Mr. Deveraux commented that he had asked the School what it would take to televise their meetings and he said that initially there were objections, but now they seem to be coming around to the possibility. Mr. Deveraux said the school was thinking about taping first and eventually going live. It is still being discussed.

The Mayor reported that the Highland Falls School District has approved the Village Elections to be held in the Highland Falls Intermediate School Lobby area. This will cost the Village less and provide parking and handicap accessibility. The Mayor also commented that he is working with the School District on the possibility of sharing in fuel costs and any costs that might be associated with televising meetings.

The Mayor reported that he hosted a meeting with Senator-elect Nan Hayworth and the President of the HFFMCS D School Board so that she could become familiar with the issues our district is facing.

The Mayor asked the Board to support a letter to the property owner of the former Key Food Marketplace and inquire as to what is going on with the property.

Trustee McCormick motioned to have the Board send a letter to the property owner of 198 Main Street inquiring as to whether a replacement grocery store might be coming or what his intentions for the property are. The motion was seconded by Trustee DiSalvo and unanimously carried.

Discussion was held on property assessments. The Mayor pointed out that he felt there is a problem with some commercial property assessments not being assessed fairly. Mr. Ray Deveraux asked if some commercial businesses, such as Rite Aid, were given tax incentives to build here. The Mayor responded no. Trustee Gunza pointed out that many businesses have started Certiorari proceedings and many have won their case and assessments have been lowered. This creates hardships on all taxpayers. Mr. Yehl asked when the Town revaluation was going to take place. The Mayor responded that they are only in talk stages now and if and when it is done, the process could take up to two years to complete.

Trustee McCormick commented that you cannot spot assess and reminded the Board and the public that he was Town Supervisor when the last revaluation was done. He commented further that many people did not like the results.

Mr. Deveraux agreed that tax assessments do need to be looked at. Mrs. Yehl suggested that a follow-up to fees paid to provide live entertainment be looked at also. Mrs. Yehl said she was told it would cost her \$100 to have entertainment. The Village Clerk explained to her that the cost for a permit for one year would be \$100. The fee is actually \$50.00 for a six month period. The Clerk explained to Mrs. Yehl that the fee covers having live entertainment, inside, for the whole year. It was not \$100 each night you want to provide live entertainment.

Mrs. Yehl asked if the Village has an ADA coordinator and the Mayor responded the county usually answers any questions regarding an ADA problem.

Trustee McCormick reported on the work done in the Water Department this month. He also mentioned that he has told the Department to replace the windows that have been budgeted for as long as the money is still in the budget. Trustee McCormick reported that he had sent emails to a couple of non profit groups who he thought were interested in purchasing Pine Terrace Property. He would not like to see this property purchased by a non-profit and have potential rateables lost. Trustee McCormick said he did not receive comment back from Scenic Hudson.

Trustee McCormick said the Village should inquire with Orange & Rockland about potential charging stations for electric vehicles since this seems to be the wave of the future.

Trustee McCormick mentioned that the Village shouldn't forget about the Eagle Valley Bridge repairs and reminded the Board there is still grant money to be used towards these repairs.

Trustee Gunza reported that the emergency doors for the Village Hall were still a work in progress. Trustee Gunza also thanked Vision, the DPW crew and Police Department for helping to prepare the Village for the Holiday season.

Fire Chief Erik Smith asked the Board if there was a problem with vouchers he submitted to reimburse the Chief and two assistants for cell-phone usage. Chief Smith explained that his budget had a line item in it for cell phone usage. The Board agreed and said this was to pay the phone bills when they came in. Chief Smith said he provided the Treasurer with information that he and his assistants could be reimbursed under IRS law for the use of cell phones and that he told the Board one way to reduce his budget was to cut the cell phone budget line and have his officers reimbursed instead. Chief Smith informed the Board that he had discontinued the cell phones the Village provided in July.

The Mayor informed Chief Smith that the Board did not approve the discontinuation of the phones in an official meeting. He told the Chief to submit vouchers with copies of their cell phone bills for the backup of using their own phones for fire department business. He also told the Chief to turn the Village phones into the purchasing clerk.

Chief Smith said he did not think it was necessary to turn in copies of phone bills. The law provides for the reimbursement. The Mayor commented that the Village is on the right track when it comes to our audits and accountability is the reason why. The Mayor said he would to continue with our accountability practices and providing copies of bills is needed.

Trustee McCormick motioned to approve a cell phone usage allowance of \$20/month per person for the Fire Chief, 1<sup>st</sup> Assistant Chief and 2<sup>nd</sup> Assistant Chief to cover fire department cell phone usage for fiscal year 2010-2011, commencing in July 2010 with payments issued every six months as follows: July – December paid at the first Board meeting in January and January –May paid at the last meeting of May, provided all documentation, ie, vouchers and copies of phone bills, are submitted timely.

The motion was seconded by Trustee Gunza and unanimously carried.

Trustee Brown motioned to enter executive session to discuss a particular employee.

The motion was seconded by Trustee DiSalvo and unanimously carried.

The Board entered executive session at 7:45pm.

The regular meeting reconvened at 8:30pm.

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

The meeting closed at 8:30pm.

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Regina M. Taylor, Village Clerk