

Minutes of the Town Board Meeting held at Town Hall, 511 Route 32, Highland Mills, New York on May 7, 2009 at 7:30PM

Present: John Burke, Supervisor  
Geraldine Gianzero, Councilwoman  
Amidee Haviland, Councilmen

Absent: Carlton Levine, Councilman

Also Present: Richard Liberth, Attorney for the Town; Peter Stabile, Highway Superintendent; Robert Kwiatkowski, Police Chief; Maria Hunter, Village Planning Board; Sandra Capriglione, Village Zoning Board

## **I. Public Hearing:**

### **a. Orange County Community Development Grant Program FY2010:**

A public hearing was held to entertain public comment and suggestions for projects to be applied for grant funds made available through the Orange County Community Development Grant program. The notice was printed in the Times Herald Record on May 3, 2009 and the following comments were received:

Clerk Potvin stated former Supervisor Robert Till contacted her via telephone to suggest that the bathrooms at the Senior Center be remodeled. He feels that they are in desperate need of new fixtures, flooring and walls.

Councilman Haviland suggested that a new Courthouse and/or Town Hall be applied for.

Maria Hunter suggested that the stone pillars at Oak Clove circle be repaired as she feels they are a safety hazard. She suggested that the stone wall surrounding the tree in Perrone Circle be repaired since the roots of the tree are breaking through and is a safety hazard. She suggested the sidewalks along Valley Avenue adjacent to and under the train trestle be repaired since it is a safety hazard for walkers. She suggested the Town Hall purchase a defibrillator. She then suggested that the railing of the ramp at the rear of Town Hall is not sturdy and needs to be repaired, as well as the front steps and railing.

John Smith stated a swail is needed on the corners of Sunset and Westend Drive to divert water to a catch basin.

With no further comments received, a motion was offered by Supervisor Burke, seconded by Councilwoman Gianzero, to close the public hearing.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

Clerk Potvin will forward a copy of the minutes of this hearing to Engineer Lindsay for him to review with the Community Development program administrator to determine if funding could be applied for any of the suggestions received this evening.

## **II. Administrative Business:**

### **a. Acceptance of Minutes:**

Motion was offered by Councilwoman Gianzero, seconded by Supervisor Burke, to accept the minutes of the regular meeting held April 16, 2009.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

Motion was then offered by Councilman Haviland, seconded by Supervisor Burke, to accept the minutes of the worksession held May 4, 2009.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

b. Approval of Abstract:

Motion was offered by Councilman Haviland, seconded by Councilwoman Gianzero, to approve Abstract 10, Vouchers #20090931 - #20091018, totaling \$102,000.84.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

c. Budget Modification:

Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to approve a modification to the budget of the General Fund by decreasing A1420.400 (Attorney Contractual Expense) by \$1,800 and increasing A1355.462 (Article 7 Appraisals – New Line-Item) by \$1,800.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

Motion was then offered by Councilman Haviland, seconded by Supervisor Burke, to approve a modification to the budget of the Library by decreasing L7410.435 (Books) by \$1,000 and increasing L7410.202 (Automation) by \$1,000.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

Motion was then offered by Supervisor Burke, seconded by Councilwoman Gianzero, to approve a modification to the budget of the Highway Department by increasing DB599 (Appropriated Fund Balance) by \$20,000; decreasing DB5110.465 (Blacktop) by \$8,663 and increasing DB5110.472 (Sidewalks) by \$28,663.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

Motion was then offered by Supervisor Burke, seconded by Councilman Haviland, to approve a modification to the budget of the General Fund by decreasing A1450.100 (Personal Service) by \$2,415 and increasing A1450.400 (Election Contractual Expense) by \$2,415.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

d. Acceptance of Resignation:

Motion was offered by Supervisor Burke, seconded by Councilwoman Gianzero, to accept the resignation of Peter D’Errico Jr from the position of part-time dispatcher effective May 1, 2009.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

EXTRA ITEM – Appointment of Secretary to Board of Assessment Review:

Motion was offered by Councilman Haviland, seconded by Supervisor Burke, to appoint Carol Zachmann to the position of Secretary for the Board of Assessment Review.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

**III. Old Business:**

a. Authorize Supervisor to Sign/Adopt – UPSEU Contract:

Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to approve the UPSEU Employees Contract (January 2008 – December 2012) and to authorize the Supervisor to sign all documents relating to its enactment.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

Supervisor Burke noted that the contract was voted on by the employees last week and was overwhelmingly approved. He thanked the Board for their patience and efforts during negotiations. Councilwoman Gianzero thanked Supervisor Burke and former Councilman Queenan for all their efforts.

**IV. New Business:**

a. Schedule Public Hearing – Peddler’s Local Law Amendment:

Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to schedule a public hearing to be held at 7:30PM on May 21, 2009 to entertain public comment on an amendment to Chapter 234 of the Town Code entitled “Peddling and Soliciting” to provide for a “no-solicitation” program.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

b. Authorize Supervisor to Sign – O&R Street Light Proposal:

Motion was offered by Supervisor Burke, seconded by Councilwoman Gianzero, to authorize the Supervisor to sign an application with Orange and Rockland to install outdoor lighting on Fourth Street on poll 54546/49361 at a cost of \$91.32 per year.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

**V. Public Comment:**

Superintendent Stabile informed the Board of the road improvement program that is planned for this year, which is based on the maintenance plan that was prepared by the Cornell Institute a few years ago. He added that the Town is ahead of schedule. He then requested that the Board consider not using the County bid for the purchase of blacktop. Other Towns have advertised for bids and have been successful in receiving lower prices than what the County received (which was \$78 per ton – an \$8 increase over the price last year). Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to authorize the Town Clerk to advertise for bids for the purchase of blacktop, once specifications are prepared by Superintendent Stabile. It was noted that the Town Board has the right to reject any bids and opt to use the County’s bid.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

John Smith asked why the pavement in the Senior Center/Rushmore Library parking lot is softening. Superintendent Stabile stated his department slurred the lot last year and it is due to motorists spinning their tires.

**VI. Adjournment:**

Motion was offered by Supervisor Burke, seconded by Councilman Haviland, to adjourn the meeting at 8:10PM.

**ADOPTED**      AYES    3            Burke, Gianzero, Haviland  
                     NOES    0

Desiree Potvin, Town Clerk