

## TOWN BOARD

The Town Board, Town of Highlands, held a Special Meeting on Monday, March 15, 2010 at Town Hall, 254 Main Street, Highland Falls, NY 10928 at 7:30pm.

PRESENT:	Edward Magryta	----	Supervisor
	Holly Gokey	----	Council Member
	William Edsall	----	Council Member
	Laurie R. Tautel	----	Council Member
	Mervin R. Livsey, Jr.	----	Council Member
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

Supervisor Magryta opened the Special Meeting at 7:30pm.

Supervisor Magryta said that after the short Special Meeting, the Board will be going into an Executive Session. The Supervisor has a resolution to authorize a settlement to Old Oak Inc. Supervisor Magryta asked Justin Rider to summarize the resolution.

Mr. Rider explained that this resolution is to authorize a settlement of proceeding under Article 7 of the Real Property Tax Law to the Old Oak Inn located at 840 Rte 9W. This settlement will result in a refund of \$2,500 and also lower the assessment to \$375,000 which is where the Assessor thinks is fair.

Supervisor Magryta asked if the Board had any thoughts or concerns about this.

Council Member Livsey is strongly opposed to reducing this assessment. The owner has neglected this building for 5 years and Mr. Livsey believes that it is wrong to lower this assessment because of neglect. The owner is also using MTBE as an excuse, which Mr. Livsey thinks is an insult to other business owners.

Supervisor Magryta said that this issue was exhaustively discussed in Executive Session.

Council Member Gokey doesn't believe that the Assessor made her decision because of the MTBE issue. The decision was made based on the purchase price and the amount of money it would take to fight this case.

Supervisor Magryta said that if this resolution passes, the assessment will be reduced to \$375,000 which is what the owner paid for the property 5 years ago. If the Board rejects the resolution, it will open up the Town to a lawsuit which will cost even more money.

Mr. Rider believes that this is a good settlement for this piece of property.

**TOWN BOARD**

**MARCH 15, 2010**

Council Member Edsall made a motion seconded by Council Member Gokey to adopt the Resolution to Authorize Settlement of Proceeding Under Article 7 of the Real Property Tax Law: The Old Oak Inc. SBL #15-3-56 Index Nos. 2009-008002.

**RESOLUTION ADOPTED: 4-eyes (Magryta, Gokey, Edsall, Tautel)  
1-nays (Livsey)**

**\*\*\*\*RESOLUTION ATTACHED\*\*\*\***

**PUBLIC COMMENT**

James Titolo is concerned with the proposed zoning changes in Fort Montgomery. He is afraid that if one is approved then more will follow.

Supervisor Magryta assured Mr. Titolo that the Board will make no decisions until all the information is received.

Ann Marie Fiducia thought that Mr. Pankin offered to help pay for the damage done to Garrison's Pond from the run-off from his property.

Supervisor Magryta is not sure about this.

Mr. Rider said there was discussion on that, but he is not aware of any payment.

Council Member Tautel made a motion seconded by Council Member Gokey to go into Executive Session to discuss: 1) the Medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; and 2) proposed, pending or current litigation. The Board went into Executive Session at 8:25pm.

**MOTION CARRIED: 5-eyes (Magryta, Gokey, Edsall, Tautel, Livsey)  
0-nays**

Council Member Tautel made a motion seconded by Council Member Edsall to close the Executive Session. Executive session closed at 10:31pm.

**MOTION CARRIED: 5-eyes (Magryta, Gokey, Edsall, Tautel, Livsey)  
0-nays**

Council Member Tautel made a motion seconded by Council Member Edsall to adjourn the special meeting. Special meeting adjourned at 10:32pm.

**MOTION CARRIED: 5-eyes (Magryta, Gokey, Edsall, Tautel, Livsey)  
0-nays**