

TOWN BOARD

The Town Board, Town of Highlands, held a workshop on Monday, September 27, 2010 at Town Hall, 254 Main Street, Highland Falls, NY 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 workshop at 7:30pm.

Supervisor Magryta informed everyone that there will be no budget discussion tonight.

PUBLIC COMMENT

Ann Marie Feducia said that on Saturday and Sunday the Fort Montgomery Battlesight will be having their annual Twin Forts Day. There will be lots for families to do and transportation will be available to the Battlesight and will run from Sacred Heart to Bear Mountain at 20 minute intervals.

Chris Byrnes thanked Council Member Edsall for standing up for Capt. Stroppel at the last meeting. Mr. Byrnes said that Capt. Stroppel is a super guy who puts a lot of time and energy into the Ambulance Corps. Mr. Byrnes would also like to see the Town Board set some rules for public comment.

Supervisor Magryta said public comment is reserved for comments from the public. The public has a right to make statements, but the Town Board has no obligation to answer any public comment.

BUDGET TRANSFER REQUESTS

Receiver of Taxes:

Supervisor Magryta said that the Receiver of Taxes has requested that \$700 be transferred from A1990.0400 (Contingent) to A1330.0400 (Receiver of Taxes-other exp.) to cover postage expenses.

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Council Member Gokey made a motion seconded by Council Member Tautel to approve the budget transfer of \$700 from A1990.0400 to A1330.0400.

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

Supt. Of Highways:

Supervisor Magryta said that the Supt. Of Highways has requested that \$480 be transferred from A1990.0400 (Contingent) to A8540.0400 (Garrison Pond Expenses) for work not performed as agreed.

Council Member Gokey made a motion seconded by Council Member Livsey to approve the budget transfer of \$480 from A1990.0400 to A8540.0400.

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

Assessor:

Supervisor Magryta said that the Assessor has requested that \$20,000 be transferred from A1990.0400 (Contingent) to A1355.0470 (Assessor – Legal Action Fees) for certiorari litigation fees.

Council Member Gokey made a motion seconded by Council Member Tautel to approve the budget transfer of \$20,000 from A1990.0400 to A1355.0470.

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

ORANGE COUNTY YOUTH BUREAU FUNDING

Supervisor Magryta said there is \$2,853 available for Recreation and \$2,563 available for Police from the Orange County Youth Bureau that in previous years the Town has waived to the Village and then the Village waived it to the Big Brothers/Big Sisters program. The Supervisor would like to evaluate whether this money would benefit the Town before giving it away.

Council Member Tautel wondered how active Big Brothers/Big Sisters is in this community and would like the opportunity to speak with someone involved in the program.

Supervisor Magryta asked Council Member Livsey to contact Big Brothers/Big Sisters to get answers and a decision would be made at the next meeting about what to do with the money.

Council Member Livsey said he would make some calls tomorrow.

BUILDINGS/GROUNDS – MOLD ISSUE/BROOKS PARK DUGOUT PROPOSAL

Council Member Livsey has researched companies to provide the dugouts for Brooks Park. Mr. Livsey has found a company he thinks will do a good job and he will provide the Board with the information to review. Mr. Livsey would like to vote on this at the next meeting.

Council Member Tautel asked about a kiosk at the old Trading Post property.

Council Member Livsey said he has spoken to James Hall and his is ok with it. Mr. Livsey said that issue would be introduced at a later date.

Council Member Gokey said the basement at the Town Hall flooded years ago and the records are wet. Ms. Gokey has had companies come in to provide estimates on cleaning the basement and she is waiting for one more to come in. Ms. Gokey was advised to put a dehumidifier in the basement with a hose running outside to drain.

TOH AMBULANCE CORPS – AMBULANCE BID

Supervisor Magryta said the sealed bids for the new ambulance were opened last week. There was one bid received from Nassau Fire Apparatus. The Supervisor asked Capt. Stroppel to discuss the bid.

Capt. Stroppel said that the bid that was received does not exactly match the bid specs, but there are certain areas of the bid that exceed the specs. Mr. Stroppel explained that the warranty is for 5 years instead of 3 and Nassau Fire Apparatus is willing to give the Town \$10,000 on the trade in.

Council Member Gokey said the total cost, if the Town purchases the 2009 chassis, is \$144,203.

Justin Rider said that because the bid specs call for a 2010, there could be a problem from someone that didn't put in a bid, but he doesn't think there will be.

Council Member Gokey asked Capt. Stroppel if he had a time frame for delivery on the new ambulance.

Capt. Stroppel said that he was told about 90 days from the date of signing.

Council Member Tautel made a motion seconded by Council Member Gokey to award the bid not to exceed \$145,000 to Nassau Fire Apparatus for Option 2, the 2009 chassis.

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

GRANT STATUS UPDATE

Supervisor Magryta heard that the Town was not awarded the intermunicipal grant with the Village for \$25,000. The Supervisor asked Council Member Tautel if she had heard anything.

Council Member Tautel does not have anything on the grant.

Supervisor Magryta asked Council Member Tautel to get some information and report at the next meeting.

Supervisor Magryta asked Council Member Tautel if there were any other outstanding grants.

Council Member Tautel said there was the Brooks Park grant, the remainder of the Hamlet Center, and there is a grant out there to allow homeowners that were affected by MTBE to hook up to Town water.

Supervisor Magryta asked Council Member Tautel to get a list of potential new grants.

Council Member Tautel said the list usually comes out in November.

DIAL-A-BUS

Council Member Tautel attended the Highlanders meeting and gave out information. The purchase of the new bus is on hold. Ms. Tautel said that Colleen Solan has asked that the Board approve the hiring of two (2) per diem Dial-A-Bus drivers.

Council Member Gokey made a motion seconded by Council Member Tautel to hire Vincent Rush and Ralph Montellese as substitute Dial-A-Bus drivers.

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

Council Member Tautel would like to invite some people to a Board meeting who will talk about providing assistance to low income/fixed income residents with their heating costs.

Supervisor Magryta asked Council Member Tautel to slate that for November.

Council Member Tautel said that the next meeting is on a holiday.

Supervisor Magryta said there will not be a meeting that night.

ROUTE 218 W/E CLOSURE PROPOSAL (PEDI/BIKE)

Supervisor Magryta said that Council Member Edsall asked to discuss this.

Council Member Edsall said that Transportation Alternative is applying for a special use permit from the State of New York to hold a bicycle race along Route 218 on October 10. Mr. Edsall is asking the Town to endorse this event and check with the insurance company.

After much discussion:

Supervisor Magryta asked Council Member Edsall to put together something for him to sign.

Council Member Gokey made a motion seconded by Council Member Livsey to authorize Supervisor Magryta to sign a letter of intent to support the bicycle race on Route 218 on October 10.

EMERGENCY ACTION PLAN

Supervisor Magryta said the Emergency Action Plan has been developed and it seems to represent what the Town needs. The Supervisor said it will be good to have something to refer to if needed.

Council Member Livsey said that Ms. Pfeister has put a lot of work into the plan and she should be reimbursed.

Council Member Livsey made a motion seconded by Council Member Tautel that the Board accept the Emergency Action Plan (EAP) as published subject to any other modifications as necessary.

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

Supervisor Magryta advised Council Member Livsey to follow up with the Comptroller for payment to Ms. Pfeister.

NYMIR LETTER

Supervisor Magryta said that NYMIR would like to offer two (2) additional coverage options to the Town; 1) coverage for the cost of legal defense even where no indemnity are sought by a plaintiff; and 2) public official surety bond coverage. The Supervisor said that NYMIR would like the Board to consider these options and return the proxy form within the next 10 days.

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Council Member Edsall said he is on board with option #2, but is a bit concerned with option #1.

Supervisor Magryta suggested doing a motion and if any Board member has a problem with anything, they can let him know by Friday and he won't send the proxy in.

Council Member Livsey made a motion seconded by Council Member Gokey to authorize Supervisor Magryta to sign off on both Option #1 and Option #2.

**MOTION CARRIED: 5-eyes (Magryta, Gokey, Tautel, Livsey)
1-nay (Edsall)**

MUNICIPAL LOT – NEXT STEPS

Supervisor Magryta received a memo from Mr. Rider about the Land Use regulations and the Balancing of Public Interest test. The Supervisor said that the old Town Garage property is now a parking area which is very orderly and being used. The Supervisor would like the Board to consider discussing the Balance of Public Interest test at a later date.

GARBAGE

Council Member Gokey would like the Board to look into reconsidering the way the residents are charged for garbage pickup. Ms. Gokey said the charge is based on the assessment of the property and she would like to, possibly, create a point system which would be fairer to the residents.

Supervisor Magryta would like to find out what other municipalities are doing.

SEWER PLANT

Council Member Edsall spoke to Doug Willis, who informed him that he is having trouble with the blowers at the plant. Mr. Edsall said there is money in Mr. Willis' equipment account to remedy this situation.

TOWN HALL BOILER

Council Member Livsey said that CD Parry serviced the Town Hall boiler and the news was not good. Mr. Livsey will provide the Board with the proposal he received from CD Parry.

Council Member Edsall said the Board should consider going with a gas fired boiler.

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BUILDING DEPT.

Council Member Edsall spoke to Building Inspector Hager, who is working on the fees and permit schedule. Mr. Hager asked if it could be postponed because he is not ready.

Supervisor Magryta would like the information by the November meeting.

Council Member Edsall will ask Mr. Hager to have it ready.

PUBLIC COMMENT

Chris Byrnes said there is more unfairness in the Town with garbage costs. Mr. Byrnes also said that if the Board agrees to close 218 they will be opening a can of worms.

Supervisor Magryta would like to look at the closing of 218 with an open mind and if doesn't work, then it will be stopped.

EXECUTIVE SESSION

Council Member Livsey made a motion seconded by Council Member Edsall to go into Executive Session to discuss: 1) proposed, pending or current litigation; 2) 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. Board went into executive session at 9:45pm.

**MOTION CARRIED: 5-ayes (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 10:52.

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

Council Member Edsall made a motion seconded by Council Member Tautel to adjourn the workshop. Workshop adjourned at 10:53.

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

Attest,

