

## **TOWN BOARD**

The Town Board, Town of Highlands, held a regular meeting on Monday, January 10, 2011, at Town Hall, 254 Main Street, Highland Falls, NY 10928 at 7:00pm.

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 meeting at 7:00pm.

Supervisor Magryta asked for a moment of silence for the victims in Arizona.

### **PUBLIC COMMENT**

There was no public comment.

### **ACCEPTANCE OF MINUTES**

Council Member Livsey made a motion seconded by Council Member Edsall to accept the minutes from the October 25, October 28, November 4, November 8 and December 20, 2010 Town Board meetings and workshops.

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

Council Member Edsall made a motion seconded by Council Member Gokey to accept the minutes from the December 13, 2010 meeting.

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

Council Member Livsey made a motion seconded by Council Member Tautel to accept the minutes from the December 30, 2010 meeting.

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

**AUDIT OF ACCOUNTS PAYABLE**

Council Member Gokey made a motion seconded by Council Member Tautel to accept the A/P Register, dated December 3, 2010, in the amount of \$29,137.76.

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

Council Member Livsey made a motion seconded by Council Member Gokey to accept the A/P Register, dated December 17, 2010, in the amount of \$59,489.15.

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

Council Member Gokey made a motion seconded by Council Member Edsall to accept the A/P Register, dated December 30, 2010, in the amount of \$61,247.34.

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

**STATE COMPTROLLER PRELIMINARY REPORT**

Supervisor Magryta said that the Town has received the preliminary report from the State Comptroller, but this report must remain confidential until the Board meets with the investigator from the State.

Supervisor Magryta explained that the Town has 30 days to respond to the state and then the Town will have 90 days to produce a remediation plan to repair/correct any issues.

**2010 HEALTH INSURANCE BUDGET ERROR – TRANSFER**

Council Member Edsall made a motion seconded by Council Member Tautel to transfer a total of \$32,000 to account A.9060.0800 (Hospitalization) from the following accounts: \$10,880 from A9060.0801 (Medical Buyout), \$7,790 from A9040.0800 (Comp Insurance), \$3,300 from A9010.0800 (State Retirement) and \$10,030 from A0997.3060 (Debt Service).

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

Council Member Tautel made a motion seconded by Council Member Gokey to transfer \$2,364 from DA9010.0800 (State Retirement) to DA9060.0800 (Medical Insurance).

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

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Council Member Tautel made a motion seconded by Council Member Gokey to transfer \$3,742 from B9015.0800 (Fire & Police Retirement) to B9060.0800 (Medical Insurance).

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

**2010 BUDGET TRANSFERS**

Council Member Livsey made a motion seconded by Council Member Edsall to transfer \$280 from A1620.0400 (Town Hall other exp.) to A1620.0100 (Custodian Salary).

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

Council Member Gokey made a motion seconded by Council Member Tautel to transfer \$3,000 from A1320.0400 (Fixed Asset Exp) to A1315.0100 (Comptroller Salary).

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

Council Member Tautel made a motion seconded by Council Member Livsey to transfer a total of \$3,550 to A5010.0102 (Highway – Clerical) as follows: \$1,800 from A5010.0100 (Highway Supt Salary) and \$1,750 from A5132.0400 (Highway Garage Other).

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

Council Member Livsey made a motion seconded by Council Member Gokey to transfer \$800 from A7110.0101 (Parks Personal Serv) to A7110.0100 (Parks Supt Salary).

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

Council Member Gokey made a motion seconded by Council Member Tautel to transfer \$1,900 from A7110.0101 (Parks Personnel) to A7110.0450 (Parks Repair & Improvement).

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

Council Member Gokey made a motion seconded by Council Member Tautel to transfer \$3,300 from A7110.0101 (Parks Personnel) to A7110.0400 (Parks Contracted exp.).

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

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Council Member Edsall made a motion seconded by Council Member Livsey to transfer \$938 from A1990.0400 (Contingent Acct) to A8010.0100 (Zoning Salary).

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

Council Member Tautel made a motion seconded by Council Member Edsall to transfer \$3,350 from A8810.0100 (Cemetery Personnel Serv) to A8810.0400 (Cemetery Other).

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

Council Member Edsall made a motion seconded by Council Member Gokey to transfer \$17,400 to A8160.0100 (Sanitation – Personnel Serv) as follows: \$10,000 from A8160.0440 (Landfill), \$2,140 from A7110.0101 (Parks – Personnel Serv), \$1,270 from A8810.0440 (Grass Cutting), \$1,750 from A8810.0100 (Cemetery Salary) and \$2,240 from A8160.XXXX (Various Sanitation Accounts).

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

Council Member Gokey made a motion seconded by Council Member Tautel to transfer \$3,000 from B9015.0800 (Fire & Police Retirement) to B9010.0800 (State Retirement).

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

Council Member Edsall made a motion seconded by Council Member Gokey to transfer \$510 from B9015.0800 (Fire & Police Retirement) to B9030.0800 (Fire & Police Social Security).

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

Council Member Gokey made a motion seconded by Council Member Edsall to transfer \$2,510 from SA4540.0402 (Transportation) to SA9010.0800 (State Retirement).

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

Council Member Edsall made a motion seconded by Council Member Tautel to transfer \$7,513 from SA9025.0800 (Ambulance Service Award Program) to SA9040.0800 (Ambulance Compensation Ins).

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

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Council Member Tautel made a motion seconded by Council Member Gokey to transfer \$436 from SA4540.0430 (Ambulance Ins) to SA9040.0800 (Ambulance Compensation Ins).

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

Council Member Edsall made a motion seconded by Council Member Tautel to transfer \$6,035 from SW2.8310.0400 (Water Dist #2 Other exp) to SW2.8310.0423 (Water Charges).

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

Council Member Edsall made a motion seconded by Council Member Tautel to transfer \$3,900 from 0101.1990.40 (Contingent Account – B Fund) to SL4.5182.0440 (Light District).

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

## **TOWN AUDIT FIRM ENGAGEMENT LETTER – DECISION**

Supervisor Magryta has given the Board copies of the proposals from the auditors and he would like the Board to decide which firm to use tonight. The Supervisor said that the Comptroller recommends the Town use Vanacore, DeBenedictus, DiGiovanni and Weddell.

Council Member Livsey made a motion seconded by Council Member Tautel to engage Vanacore, DeBenedictus, DiGiovanni and Weddall Accounting Firm to provide auditing services to the Town in 2011.

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

## **ASSESSOR'S HOURS**

Supervisor Magryta was informed, by the Assessor, that she will be having Saturday hours to assist residents with exemptions. The Supervisor said that the Assessor's Office will be open Saturday, January 15, from 9am to 1pm.

## **OUTSTANDING COMMITTEE ISSUES**

### **Martin Luther King Holiday:**

Supervisor Magryta would like the Board to approve the Martin Luther King holiday on January 17. The Supervisor explained that this holiday comes before the Holiday Schedule is approved at the Re-organization meeting.

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Council Member Tautel made a motion seconded by Council Member Livsey to approve the Martin Luther King holiday on January 17, 2011.

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

**Snow Removal:**

Supervisor Magryta informed everyone that, in reference to snow removal, there are 3 jurisdictions in the Town of Highlands. There is the State who takes care of the State roads, the Town which maintains the Town roads and the Village which maintains the Village roads. The Supervisor advised anyone having problems in the Town can call the Supervisor, Town Clerk or Highway Department and anyone having problems in the Village can call the Mayor, Village Clerk or the DPW Supervisor.

**Code Enforcement:**

Supervisor Magryta said the Town of Highlands Building Department handles Code Enforcement in the Town and Village. If any resident has a problem with a code, they will need to contact the Town or Village Board, depending on where they live.

**Cash Receipt Policy:**

Council Member Gokey said that the Comptroller has given the Board the Cash Receipt Policy.

Supervisor Magryta said he is ok with it.

Council Member Edsall made a motion seconded by Council Member Gokey to approve the Cash Receipt Policy and to distribute it to all departments.

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

**Zoning Board Vacancy:**

Council Member Edsall said that the Zoning Board has a vacancy, due to an expiration of a term, that will not be filled until after the their first meeting of the year. Mr. Edsall asked how that situation is handled.

Justin Rider said that the current appointee will remain in the position until another appointment is made.

Supervisor Magryta asked Council Member Gokey to inform David Weyant of this.

**Grant:**

Council Member Tautel said that she has contacted Sherry and asked if the \$7,500 grant from 2004/05 can be amended.

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Supervisor Magryta believes that the outstanding obligation for the water tower is about \$80,000.

Mr. Rider said that it may be larger, depending on the size.

Supervisor Magryta said that might be another avenue for the grant.

**Dial-A-Bus Safety Plan:**

Supervisor Magryta asked Council Member Tautel to look at the Dial-A-Bus Safety Plan. The Supervisor said there are some things that need to be deleted because they are not accurate.

**Library:**

Supervisor Magryta said that the Library has presented, to the Board, the possibility of the Town using the downstairs space at the Library for offices or storage. The Supervisor would like to discuss this at the workshop.

**Workshop Discussion:**

Supervisor Magryta asked the Board if they had any items for the workshop.

Council Member Livsey would like to discuss Roe Park and he also said he is looking into signage for Wi-Fi.

Council Member Edsall would like to discuss the fee schedule.

Supervisor Magryta would like the Board to be prepared to discuss and adopt the fee schedule at the workshop.

Supervisor Magryta asked if the Board would be comfortable making a decision on the judge issue at the meeting on January 20. The Supervisor said that the deadline to sign up for the Association of Towns training is January 23, which is the day before the workshop.

Council Member Gokey would like to discuss the money for the Association of Towns.

After a discussion the Board moved the following:

Council Member Edsall made a motion seconded by Council Member Livsey to set a cap of \$4,000 for attendance at the Association of Towns. This will include \$50/day for meals and 1 night single occupancy or 2 nights double occupancy, with the Flathotel being the recommended hotel. These amounts do not include the Justices.

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

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Council Member Livsey reported that Garrison Pond has a green flag and is ready for ice skating.

**PUBLIC COMMENT**

There was no public comment.

**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; and 3) collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law). Board went into executive session at 9:00pm.

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

Council Member Tautel made a motion seconded by Council Member Edsall to close the executive session. Executive session closed at 10:29pm.

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

Council Member Tautel made a motion seconded by Council Member Edsall to adjourn the meeting. Meeting adjourned at 10:30pm.

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

Attest,