

## **TOWN BOARD**

The Town Board, Town of Highlands, held a Special Meeting and Re-Organization Meeting on Thursday, January 20, 2011 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
	Mark Taylor	----	Counsel
	June Patterson	----	Town Clerk

Supervisor Magryta opened the special meeting at 7:30pm. The Supervisor informed everyone that the Town Board will be holding their workshop on Monday, January 24, 2011 at 7:30pm.

### **PUBLIC COMMENT**

Bob Monroe questioned the population of the Town of Highlands, stating that West Point only receives minimum services and should not be considered when talking about raises. Mr. Monroe stated that he is against the raise for the Supervisor.

Supervisor Magryta said that West Point needs to be included as part of the Town of Highlands.

Council Member Edsall said that it is misleading to say that the Town is responsible for West Point.

Pharobe Ripa told the Supervisor that it makes people uncomfortable when they are told they do not understand. Mrs. Ripa said that the people have spoken very clearly about how they feel about the raises.

### **ASSESSOR'S OFFICE HIRE**

Council Member Gokey said that there is money in the Assessor's budget to hire 2 data collectors to help with the re-valuation. Ms. Talman would like to hire 1 now to help get some of the work started.

There was a discussion on the salary for the Data Collector.

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Council Member Gokey made a motion seconded by Council Member Edsall to hire Lisa Borra as a Data Collector for a term of 1 year at a salary of \$14.00 per hour. This position is subject to additional services, if necessary, at the end of the year.

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

**OUTSTANDING COMMITTEE ISSUES**

Council Member Edsall would like the Board to review the fee schedule he has provided and for it to be put on the agenda for the workshop on January 24.

Council Member Edsall would like to discuss the new telephone system at the workshop on January 24. Mr. Edsall said that this system could save the Town approximately \$8,000.

Council Member Tautel said she is still waiting to hear if the \$10,000 grant will be amended and she is just waiting on another piece of information for the 2009 Hamlet Center grant.

Supervisor Magryta asked Council Member Tautel if the Safety Plan was complete.

Council Member Tautel said she made the changes the Supervisor requested.

Supervisor Magryta said there are another couple of things that need to be changed and asked Council Member Tautel when she would have it done.

Council Member Tautel said she would e-mail it to the Supervisor tomorrow.

Supervisor Magryta asked Council Member Edsall if there were any updates on the outstanding Building Permits.

Council Member Edsall said he has not had the opportunity to speak to Mr. Hager this week.

Supervisor Magryta asked Council Member Edsall to talk to him tomorrow.

Council Member Gokey said that the Board of Education is discussing voting tonight.

Mary Jane Pitt said they will be discussing residents registering to vote for school elections.

Council Member Gokey made a motion seconded by Council Member Edsall to close the Special Meeting. Special meeting closed at 8:04pm.

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

\*\*\*\*\* 2011 RE-ORGANIZATION MEETING \*\*\*\*\*

Council Member Edsall made a motion seconded by Council Member Gokey to open the Re-organization meeting. Re-organization meeting opened at 8:05pm.

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

**INSURANCE BOND**

Council Member Edsall made a motion seconded by Council Member Gokey to approve the General Insurance Bond to cover Officers, Clerks and Employees of the Town of Highlands.

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

**APPOINTMENTS**

**1 YEAR APPOINTMENTS:**

Council Member Tautel made a motion seconded by Council Member Gokey to appoint McGoey, Edsall & Hauser as the Engineers for the Town. The Town reserves the right to use other firms as the need arises.

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

Council Member Edsall made a motion seconded by Council Member Tautel to appoint Rider, Weiner and Frankel as Attorneys for the Town.

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

Council Member Gokey made a motion seconded by Council Member Edsall to appoint Supervisor Magryta as Treasurer.

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

Council Member Edsall made a motion seconded by Council Member Tautel to appoint John Hager as Sewer Inspector.

**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 Tautel to appoint Doug Willis as Deputy Sewer Inspector.

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

Council Member Livsey made a motion seconded by Council Member Gokey to appoint Jerry Nasi as Dog Control Officer.

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

Council Member Gokey made a motion seconded by Council Member Tautel to appoint Ralph Montellese as Deputy Dog Control Officer.

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

Council Member Gokey made a motion seconded by Council Member Tautel to appoint Kelly Blauvelt as Budget Officer.

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

Council Member Edsall made a motion seconded by Council Member Tautel to appoint Stella Bailey as Town Historian.

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

Council Member Livsey made a motion seconded by Council Member Tautel to appoint Patricia Pfeister as Emergency Action Coordinator.

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

**5 YEAR APPOINTMENTS:**

Council Member Edsall made a motion seconded by Council Member Tautel to appoint Terry Holt to the Planning Board.

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

Council Member Edsall made a motion seconded by Council Member Tautel to appoint Ray Devereaux to the Board of Assessment Review.

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

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6 YEAR APPOINTMENTS:

Council Member Livsey made a motion seconded by Council Member Tautel to appoint Ben Liotta to the Recreation Commission.

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

7 YEAR APPOINTMENTS:

Council Member Gokey made a motion seconded by Council Member Edsall to appoint Ray Devereaux to the Consolidated Zoning Board of Appeals.

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

ANNUAL APPROVALS

Mileage:

Council Member Edsall made a motion seconded by Council Member Gokey to set the Compensation for Mileage at \$.51 per mile.

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

Salary Schedule:

Council Member Tautel would like to reduce the Council Members salaries from \$8,000 to \$4,000.

Council Member Edsall believes that the salaries for the Council Members, Supervisor and Comptroller need to be discussed.

Council Member Tautel questioned the salary for the Receiver of Taxes. Ms. Tautel believes that only \$12,636 was budgeted, but the salary schedule is showing over \$16,000. Ms. Tautel asked if this was because of the water billing.

Supervisor Magryta does not believe there is a separate line for water, but suggested that Council Member Tautel contact the Comptroller for further information.

Council Member Tautel would like to see the water billing separate from the Receiver's salary.

The rest of the Board had no problem with it as shown on the salary schedule and the decision was made to leave it as is.

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Supervisor Magryta stated that the Supervisor and Council Members salaries are fixed by the notice of Public Hearing. The Supervisor explained that when the budget is adopted those salaries are set.

Council Member Tautel questioned Mr. Taylor about this.

Mr. Taylor confirmed what the Supervisor said and said that the salaries could not be changed by resolution, but would need to be done by Local Law that has a mandatory referendum.

Council Member Livsey is very upset with the new information received on the night that everyone believed would be the night to vote on the salaries.

Mr. Taylor said the Board has two approaches. The Board can either proceed with the proposed changes and decide later if they are valid or not or they can proceed with the vote, excluding the elected officials and introduce a local law.

Council Member Edsall would like to debate the Comptroller's salary and vote on the salary schedule without the elected officials.

Council Member Edsall believes that a 35% increase, for the Comptroller, after 9-10 months is a lot.

Supervisor Magryta said that Ms. Blauvelt is A+ rated and is worth more than she is being paid.

Council Member Livsey said that 35% is too much, thinks 10% is fair.

Council Member Tautel agrees with 10%.

Council Member Gokey made a motions seconded by Supervisor Magryta to adopt the Salary Schedule as given.

**MOTION DEFEATED: 2-ayes (Magryta, Gokey)  
3-nays (Edsall, Tautel, Livsey)**

Council Member Tautel made a motion seconded by Council Member Livsey to adopt the amended Salary Schedule which removes the Council Member and Supervisor's salaries and adjusts the Comptroller's salary to \$63,081.

**MOTION CARRIED: 3-ayes (Edsall, Tautel, Livsey)  
2-nays (Gokey, Magryta)**

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Council Member Edsall made a motion seconded by Council Member Tautel to set the Council Member's salaries at \$4,000 per year.

**MOTION CARRIED: 3-ayes (Edsall, Livsey, Tautel)  
1-nay (Gokey)  
1-absention (Magryta)**

Supervisor Magryta said he does not believe that the motion is supported by law and he will not vote.

Council Member Edsall made a motion seconded by Council Member Tautel to set the Supervisor's salary at \$15,000 per year.

**MOTION CARRIED: 3-ayes (Edsall, Livsey, Tautel)  
1-nay (Gokey)  
1-absention (Magryta)**

Vacation, Sick & Personal Leave Policies:

Council Member Gokey made a motion seconded by Council Member Edsall to approve the 2011 Vacation, Sick & Personal Leave Policies as outlined in the Employee Handbook.

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

Holiday Schedule:

Council Member Gokey made a motion seconded by Council Member Edsall to approve the 2011 Holiday Schedule.

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

Health Insurance:

Council Member Gokey made a motion seconded by Council Member Edsall to approve the Health Insurance as outlined in the employee handbook.

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

**TOWN BOARD MISC.**

Town Board Meetings:

Council Member Edsall made a motion seconded by Council Member Gokey to conduct Town Board meetings according to modified Roberts Rules of Order.

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

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### Town Board Meetings:

Council Member Edsall made a motion seconded by Council Member Tautel to set the Town Board meetings to be held the 2<sup>nd</sup> Monday of each month at 7:00pm and the 4<sup>th</sup> Monday of each month at 7:30pm.

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

### Business Hours:

Supervisor Magryta would like the Board to consider changing the Town Hall hours to 8:00am to 4:30pm with the employees getting a 30 minute unpaid lunch.

Council Member Livsey made a motion seconded by Council Member Gokey to make the Town Hall hours 8:00am to 4:30pm with the employees getting a 30 minute unpaid lunch.

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

### Official Newspaper:

Council Member Livsey made a motion seconded by Council Member Gokey to make the News of the Highlands the Official Newspaper of the Town of Highlands.

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

### Police Commissioner:

Council Member Gokey made a motion seconded by Council Member Edsall to appoint Supervisor Magryta as the Police Commissioner.

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

### Committee Appointments:

Supervisor Magryta provided the Board with a list of the committee appointments.

Council Member Livsey expressed his disappointment with not being given Recreation this year.

Council Member Edsall said that it is a great loss for Recreation.

Supervisor Magryta said he rotated position so everything would be given a fresh view and that if anyone needed help they could ask.

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Council Member Edsall made a motion seconded by Council Member Gokey to close the Re-organization meeting. Re-organization meeting closed at 9:45pm.

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

Official Depositories:

Council Member Edsall made a motion seconded by Council Member Tautel to set Class, Chase and HSBC as the Official Depositories for the Town.

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

Petty Cash Fund:

Council Member Gokey made a motion seconded by Council Member Edsall to set a Petty Cash fund for the Recreation at \$50 and for the Town Clerk at \$100.

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

Return Check Fee:

Council Member Tautel made a motion seconded by Council Member Edsall to set the Returned Check Fee at \$20.

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

Auditors:

Council Member Gokey made a motion seconded by Council Member Edsall to appoint Vanacore, DeBenedictus, DiGovanni and Weddell as the Auditors for the Town.

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

Union Contract Negotiations:

Council Member Edsall made a motion seconded by Council Member Gokey to appoint Supervisor Magryta as the lead negotiator for contracts.

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

**ASSOCIATION OF TOWNS**

Voting Delegate/Alternate:

Council Member Edsall made a motion seconded by Council Member Tautel to appoint Council Member Laurie R. Tautel as the Voting Delegate and Council Member Holly Gokey as Alternate.

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

Per Diem Expenses:

Council Member Edsall made a motion seconded by Council Member Tautel to set the Per Diem Expenses for the Association of Towns conference at \$50/day.

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

**BID OPENINGS**

Council Member Edsall made a motion seconded by Council Member Tautel that Bid Openings will be done by the Supervisor or Deputy Supervisor and the Town Clerk or Deputy Town Clerk.

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

**POLLING PLACES**

Council Member Gokey made a motion seconded by Council Member Edsall to designate the Highland Falls Fire House and Fort Montgomery Fire House as polling places in the Town of Highlands.

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

**DAILY MEAL ALLOWANCE FOR CONFERENCES**

Council Member Gokey made a motion seconded by Council Member Edsall to set a Daily meal allowance for conferences of up to \$50.

**PUBLIC COMMENT**

Joan Cronin disagrees with the raises.

Mrs. Ripa believes that the Board is doing their job and is surprised that Supervisor Magryta did not inform the Board what was going on with the salaries.

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Supervisor Magryta said he met with Counsel tonight. The Supervisor stated he is not here to judge, but to follow the law.

Jerry Michaels said it was unfair and sneaky that the Supervisor asked for this information only a couple of days before the meeting.

Council Member Livsey made a motion seconded by Council Member Tautel allowing the Town Board to share the Supervisor's office as it has been done in the past.

**MOTION CARRIED: 3-ayes (Tautel, Edsall, Livsey)**  
**0-nays**  
**2-absentions (Magryta, Gokey)**

Supervisor Magryta finds it outrageous that the Board is not allowing the Supervisor private space to conduct business. The Supervisor asked Counsel if there was any remedy to this.

Mr. Taylor said that he does not have an answer tonight, but stated that the Town Board decides on Town Facilities.

Council Member Tautel said that the Council Members also conduct business and should have someplace private.

Supervisor Magryta asked Counsel to research whether he could take the safe home and work from there.

Council Member Edsall made a motion seconded by Council Member Gokey to go into executive session. Board went into executive session at 10:05pm.

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

Council Member Edsall made a motion seconded by Council Member Tautel to close the executive session. Executive session closed at 11:22pm.

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

Council Member Edsall made a motion seconded by Council Member Gokey to adjourn the meeting. Meeting adjourned at 11:23pm.

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

Attest,