

## TOWN BOARD

The Town Board, Town of Highlands, held a public hearing and meeting on Monday, March 14, 2011 at Town Hall, 254 Main Street, Highland Falls, NY 10928 at 7:00pm (with an Executive Session at 5:30pm).

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 meeting at 5:40pm.

Council Member Livsey made a motion seconded by Council Member Tautel to go into executive session to discuss legal matters. Board went into executive session at 5:42pm.

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

Council Member Tautel made a motion seconded by Council Member Livsey to close the executive session. Executive session closed at 6:40pm.

**MOTION CARRIED: 4-ayes (Gokey, Edsall, Livsey, Tautel)**  
**0-nays**  
**1-absent (Magryta)**

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

Council Member Tautel received an e-mail from Building Inspector Hager stating that someone has begun repairs on the old Key Food and they expect it to open in about 45 days.

Council Member Tautel said she was informed that the Town will be receiving an additional \$38,648.61 in sales tax from the County.

Supervisor Magryta opened the public hearing on Local Law #1 of 2011 at 7:10pm.

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**PUBLIC HEARING**

Justin Rider reviewed the contents of the Local Law.

**PUBLIC COMMENT**

James Bailey thanked the Board for considering the Veterans' Exemption and he hopes it gets enacted.

Supervisor Magryta thanked Mr. Bailey for his service.

Council Member Edsall made a motion seconded by Council Member Tautel to close the Public Hearing. Public hearing closed at 7:20pm.

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

**REGULAR MEETING**

Council Member Tautel made a motion seconded by Council Member Gokey to adopt the local law amending and restating Article II of Chapter 179 entitled "Taxation" of the code of the Town of Highlands.

**RESOLUTION ADOPTED: 5-ayes (Magryta, Gokey, Edsall, Livsey, Tautel)  
0-nays**

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

Mr. Rider informed everyone that the local law will not take effect until it is filed with the State and it will not affect the taxes until 2012.

**PUBLIC COMMENT**

Jay O'Dell asked the Board if there were any plans to discuss consolidation.

Supervisor Magryta said that the issue was brought up last year to no avail, but he believes that consolidation is an important issue.

Glen Moyer said that he and other residents are concerned with the proposed cell tower site at the Holiday Inn Express. Mr. Moyer said that he sent the Board a letter that was signed by approximately 200 people asking the Board to uphold the previous Local Law on cell towers.

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Supervisor Magryta said that as a private citizen he also has concerns, but the Federal Government makes it difficult for Towns to deny cell towers. The Supervisor said that the Board was instructed, by the Attorney, that they can have an opinion, but cannot influence the Planning Board or Zoning Board. The Supervisor said the Board will make sure the process is done properly.

The public voiced their concerns about the location of the cell tower and the shot clock running out.

Supervisor Magryta said the Planning Board is meeting on March 23 and anyone is welcome to attend and speak. The Supervisor thanked the citizens for their concerns.

Gus Koustourdes informed the Supervisor that the space in the library is still available to the Town.

Supervisor Magryta said that he will ask the Board to reconsider.

Greg Madigan said the Town is doing a good job with the accounting and he would like to see the Board work together to get the books in order.

Supervisor Magryta stated that there was \$75,000 in escrow that was not accounted for and it will need to be made up with some of the surplus money that has been found.

## MINUTES

Council Member Tautel made a motion seconded by Council Member Edsall to approve the minutes from the February 14, 17 and 28, 2011 meetings.

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

Council Member Livsey made a motion seconded by Council Member Tautel to approve the minutes from the March 4, 2011 meeting.

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

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**AUDIT OF ACCOUNTS PAYABLE**

Council Member Livsey made a motion seconded by Council Member Tautel to accept the A/P Register dated February 25, 2011 in the amount of \$54,027.37.

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

**COMPTROLLER RECONCILIATIONS**

Supervisor Magryta reported that Comptroller Blauvelt is working on the bank reconciliations and has completed through 2009. The Supervisor asked the Comptroller to brief the Board when she is done.

**TOH POLICE VEHICLE PURCHASE**

Supervisor Magryta said that the Board recently approved an expenditure of up to \$34,000 for the purchase of a new police vehicle. The Supervisor said that because the money is coming out of a Reserve Fund it is subject to a permissive referendum.

**PURCHASING AGENT**

Supervisor Magryta said that the Board has hired a Purchasing Agent and she has already started saving the Town money. The Supervisor said that a memo was sent out to department heads with instructions for purchasing.

**OUTSTANDING COMMITTEE ISSUES**

**Council Member Gokey:**

Council Member Gokey informed everyone that the Assessor's Office will be open on March 19 from 9-1.

**Council Member Tautel:**

Council Member Tautel will be meeting with Justice Fatsis and Senator Larkin on March 18 to discuss the legislation for the Court Officer. Ms. Tautel also said that there will be a magnetometer class on April 8.

Council Member Tautel said that Building Inspector Hager has requested permission to attend a conference in Poughkeepsie from April 20-22. Ms. Tautel said the only cost is \$285 for registration and the mileage reimbursement.

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Council Member Tautel said that the Orange County Legislature has set aside some grant funds for energy. Ms. Tautel said that the municipalities must have completed an energy audit to qualify and she would like McGoey, Hauser and Edsall to perform the audit. Ms. Tautel will ask them to provide two quotes: one for just Town Hall and one for all Town buildings.

Supervisor Magryta would like to try with the County for a grant.

Council Member Tautel asked County Legislature Roxanne Donnery for her help.

Council Member Livsey:

Council Member Livsey spoke to Ann Lawless, from the School Board, and was informed that the pending agreement from the school would include use of all the school facilities while only asking the Town to maintain Fickens' Field. Mr. Livsey was also advised to put an ending date of August 31 on the agreement.

Supervisor Magryta asked Mr. Rider if he was okay with the agreement.

Mr. Rider said that he was fine with the agreement and believes and it would be a benefit to the Town, but he did think that some of the language could be modified.

Supervisor Magryta asked Mr. Rider to provide Council Member Livsey with the modified language.

Council Member Livsey said that the raise for June Squicciarini, the Recreation Secretary, was inadvertently omitted from the salary schedule. Mr. Livsey said the salary for Mrs. Squicciarini should be \$13.94.

Council Member Livsey made a motion seconded by Council Member Tautel to increase June Squicciarini's salary to \$13.94 per hour.

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

Supervisor Magryta:

Supervisor Magryta said that Dan Zint's raise was approved, but it didn't make it on the salary schedule. The Supervisor needs specifics on what his salary should be before a vote can take place. The Supervisor said that after the executive session, the Board will go back into regular session and approve the raise.

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Council Member Edsall said the Community Block Grant meeting will be on March 30. Council Member Tautel offered to go with Council Member Edsall.

Supervisor Magryta asked the Town Clerk to correct the minutes from the January 20 meeting. The Supervisor said that the Comptroller's salary should have read \$63,081 not \$60,080.

Council Member Tautel said that the Court Attendant's salary will be \$16.60 after the 3% is added.

Council Member Livsey made a motion seconded by Council Member Tautel to approve Dan Zint's salary at \$16.60 per hour.

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

Supervisor Magryta asked the Town Clerk to correct the minutes from the January 20 meeting. The Supervisor said that the proposed raise for the Comptroller was 30%, not 35%, as stated in the minutes.

Supervisor Magryta said the Assessor's Office Professional Services Agreement has been signed. The Supervisor said that the re-valuation process will begin on April 2 and will last approximately three months. The Supervisor advised residents that there will be people going around the Town collecting data. Supervisor Magryta said the whole process should last until March 2012.

## **PUBLIC COMMENT**

Ann Marie Feducia questioned the statement that Joe McCormick made in the newspaper about the Village taxpayers paying for the parks with no help from the Town.

Supervisor Magryta said the Town pays utilities at Roe Park and the statement that Mr. McCormick made is incorrect.

County Legislator Roxanne Donnery informed the Board that the Town will be receiving an additional \$38,000 in sales tax revenue because of an increase last year.

Ned Kopald stated that he hopes the re-valuation will be a fair and objective process and he asked the Town Board to interface with the School Board because of aid.

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Council Member Gokey said she has already sent an e-mail to Dr. Jackson.

Capt. Bill Stroppel thanked the Board for their support in purchasing the new ambulance. Capt. Stroppel said that he totally supports community service. Capt. Stroppel also said that the Ambulance Corps has passed the paper test given by the State.

Supervisor Magryta recognized Justice Fatsis for starting the community service program. The Supervisor reported that the Judicial Branch has passed their audit with flying colors.

Council Member Tautel made a motion seconded by Council Member Livsey to go into executive session to discuss: 1) proposed, pending or current litigation; 2) matters relating to collective negotiations under the Taylor Law. The Board went into executive session at 9:30pm.

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

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

**MOTION CARRIED: 4-ayes (Magryta, Gokey, Edsall, Tautel)**  
**0-nays**  
**1-absent (Livsey)**

Council Member Tautel made a motion seconded by Council Member Edsall to correct Dan Zint's salary from \$16.60 per hour, as approved earlier, to \$16.45 per hour.

**MOTION CARRIED: 4-ayes (Magryta, Gokey, Edsall, Tautel)**  
**0-nays**  
**1-absent (Livsey)**

Council Member Gokey made a motion seconded by Council Member Tautel to adjourn the meeting. Meeting adjourned at 10:35pm.

**MOTION CARRIED: 4-ayes (Magryta, Gokey, Edsall, Tautel)**  
**0-nays**  
**1-absent (Livsey)**

Attest,

RESOLUTION

OF

MARCH 14, 2011

A RESOLUTION TO ADOPT  
A LOCAL LAW AMENDING AND RESTATING  
ARTICLE II OF CHAPTER 179 ENTITLED "TAXATION"  
OF THE CODE OF THE TOWN OF HIGHLANDS

Council Member **Tautel** moved the following resolution which was seconded by Council Member **Gokey**.

**WHEREAS**, the Town Board of the Town of Highlands adopted a resolution on the 14<sup>th</sup> day of February, 2011 ordering a public hearing to be held on the 14<sup>th</sup> day of March, 2011, at 7:00 o'clock p.m., prevailing time, to hear all interested parties on proposed Introductory Local Law #1 of the Year 2011 entitled "A Local Law Amending and Restating Article II of Chapter 179 entitled 'Taxation' of the Code of the Town of Highlands;" and

**WHEREAS**, a notice of Public Hearing was duly advertised on the **3rd** day of **March, 2011** in The News of the Highlands and posted on the Town Clerk's sign board on the **18th** day of **February, 2011**; and

**WHEREAS**, the Public Hearing was duly held on the 14<sup>th</sup> day of March, 2011 at 7:00 o'clock p.m., at Town Hall, 254 Main Street, Highland Falls, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

**WHEREAS**, the adoption of said Local Law providing for partial real property assessment exemptions for the residences of certain qualified veterans in accordance with the provisions of State law constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act; and

**WHEREAS**, the Town Board of the Town of Highlands, after due deliberation finds it in the best interest of the Town to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The Town Board of the Town of Highlands hereby adopts said Local Law #1 of the Year 2011 entitled "A Local Law Amending and Restating Article II of

Chapter 179 entitled 'Taxation' of the Code of the Town of Highlands.”

2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Highlands and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Holly Gokey, Councilwoman \_\_\_\_\_ voting **Aye**

William W. Edsall, Councilman \_\_\_\_\_ voting **Aye**

Laurie R. Tautel, Councilwoman \_\_\_\_\_ voting **Aye**

Mervin R. Livsey, Jr., Councilman \_\_\_\_\_ voting **Aye**

Edward Magryta, Supervisor \_\_\_\_\_ voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a regular meeting of the Town Board, Town of Highlands, on March 14, 2011.

\_\_\_\_\_  
June Patterson, Town Clerk