

## TOWN BOARD

The Town Board, Town of Highlands, held a special meeting on Thursday, June 30, 2011 at Town Hall, 254 Main St, Highland Falls, NY at 8:30pm.

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

Supervisor Magryta opened the special meeting at 8:45pm.

Supervisor Magryta explained that this meeting is to make decisions on some time critical material.

### **PUBLIC COMMENT**

There was no public comment.

### **VANACORE PROPOSAL – REQUEST FOR ADDITIONAL RESOURCES**

Supervisor Magryta said that Vanacore auditors have come back with an alarming amount of items that need to be dealt with before beginning the audit.

Council Member Tautel said she has read the e-mail from Comptroller Blauvelt and she would like to make a motion.

Council Member Tautel made a motion seconded by Council Member Livsey to approve the proposal from Vanacore at a rate of \$1,125 per day, not to exceed five days.

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

Supervisor Magryta will notify Comptroller Blauvelt and he said that the auditors will be coming to the Town Hall on Tuesday.

**TAX CERTIORARI – FILE NO. 3302.19 (US ACADEMY MOTEL)**

Supervisor Magryta explained that this issue spans a couple of years and that the Board needs to decide on the settlement tonight. The Supervisor asked Mr. Rider to elaborate.

Mr. Rider explained that the Town’s appraiser did a preliminary appraisal and found this property to be over assessed. Mr. Rider said the proposed settlement is a good resolution to the matter.

Supervisor Magryta said the School Board is in favor of the settlement.

Council Member Tautel made a motion seconded by Council Member Livsey to adopt the Resolution to Authorize Settlement proceeding under Article 7 of the Real Property Tax Law: U.S. Academy Motel, SBL #107-2-3.

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

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

**TRANSFER REQUESTS**

Council Member Tautel made a motion seconded by Council Member Edsall to transfer \$7,200 from 9070.08 (MTA Tax – wrong account) to 1980.04 (MTA Tax – correct account).

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

Council Member Livsey made a motion seconded by Council Member Tautel to transfer \$1,000 from A1620.0400 (Town Hall other exp.) to A1410.0400 (Town Clerk other exp.).

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

**JEAN TALMAN PROPOSAL**

Supervisor Magryta explained that Jean Talman has taken another job, but has offered to stay on as a part-time Assessor, working approximately 10-15 hours a week to assist with the re-assessment issues. The Supervisor said that Ms. Talman is also asking for a Town Blackberry, which can be dealt with at a later date. Supervisor Magryta believes that this is a reasonable request and would like to make the salary the hourly equivalent of Ms. Talman’s yearly salary and allow her to keep the re-valuation stipend.

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Council Member Livsey is in favor of granting Ms. Talman's proposal.

Council Member Gokey would like to approve up to 20 hours.

Council Member Edsall would like to table the Blackberry for now.

Council Member Tautel asked Mr. Rider if the Board needed to accept Ms. Talman's resignation and then appoint her to the part-time Assessor position.

Mr. Rider said that was how it should be done.

Supervisor Magryta said that the County has expressed that they have people who can help the Town at a rate of \$15 per hour.

Council Member Tautel made a motion seconded by Council Member Livsey to accept Jean Talman's resignation from the full-time Assessor's position.

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

Council Member Tautel made a motion seconded by Council Member Livsey to accept Jean Talman's proposal to stay on as part-time Assessor, with hours not to exceed 20 per week and at an hourly salary equivalent of full-time Assessor's yearly salary and the re-valuation stipend.

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

Council Member Livsey asked how long the part-time position would be for.

Supervisor Magryta said that he would like to see how it goes over the next several of months.

## PEACE OFFICER

Council Member Tautel gave the Board a copy of a letter from Nancy Calhoun asking for letter of support from the Board for the legislation on the Peace Officer. Ms. Tautel said that with Board's permission, she will prepare the letter and send it out.

Council Member Livsey made a motion seconded by Council Member Edsall to allow Council Member Tautel to prepare and forward a letter of support for the legislation for the justice court.

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

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**PUBLIC COMMENT**

Mr. Koustardes thanked the Board for a job well done.

Council Member Livsey made a motion seconded by Council Member Tautel to adjourn the special meeting. Special meeting adjourned at 9:15pm.

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

Attest,

RESOLUTION

OF

JUNE 30, 2011

A RESOLUTION TO AUTHORIZE SETTLEMENT  
OF PROCEEDING UNDER ARTICLE 7  
OF THE REAL PROPERTY TAX LAW:  
U.S. ACADEMY MOTEL SBL # 107-2-3  
Index Nos. 2009-2010

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

WHEREAS, U.S. Academy Motel (“Petitioner”) has instituted proceedings under Article 7 of the Real Property Tax Law by which Petitioner seeks to obtain judicial review and reduction of the assessment of certain real property in the Town of Highlands, Orange County, New York located at Section 107-Block 2-Lot 3 on the tax assessment rolls for the tax years 2009 and 2010; and

WHEREAS, counsel to the Town, Rider, Weiner & Frankel, P.C., has negotiated a settlement of the proceedings with the Petitioner, the terms of which are to be embodied in a proposed Consent Judgment substantially in accordance with Exhibit A attached hereto; and

WHEREAS, the Town’s Assessor concurs with such settlement; and

WHEREAS, after review and discussion, the Town Board has determined it to be in the best interests of the Town to authorize the settlement.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes and directs the Supervisor and Rider, Weiner & Frankel, P.C. to execute and deliver a Consent Judgment and Stipulation of Discontinuance on behalf of the Town; and

BE IT FURTHER RESOLVED, that Rider, Weiner & Frankel, P.C., the Town's Assessor and other officers of the Town are hereby authorized to take such actions and to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and carry out the settlement; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.

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

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

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

Holly Gokey, Councilwoman voting **Aye**

William W. Edsall, 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 special meeting of the Town Board, Town of Highlands, on June 30, 2011.

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June Patterson, Town Clerk