

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, July 11, 2011 at Town Hall, 254 Main St, Highland Falls, NY 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.

PUBLIC COMMENT

Pharoby Ripa asked the Board when the Town's website would be available.

Council Member Gokey said it would hopefully be up and running late next week.

Mrs. Ripa heard, at a School Board meeting, that water will not be supplied to the Fort School.

Supervisor Magryta said he has not spoken to anyone on the School Board about water.

Daniel Malarky is still concerned and upset about the project adjacent to his property. Mr. Malarky does not believe that things are being done properly and would like to know what the Board is going to do about it.

Supervisor Magryta said that he understands Mr. Malarky's frustration and that if he finds a code or Town law that is not being followed to please notify the Board and it will be looked into.

Ann Marie Feducia announced that the Battlesight will hold a concert on July 27 from 7-9pm.

MINUTES

Council Member Livsey made a motion seconded by Council Member Tautel to approve the minutes from the May 23, June 13 and June 30 Town Board meetings/workshops.

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

AUDIT OF ACCOUNTS PAYABLE

Council Member Livsey made a motion seconded by Council Member Tautel to approve the A/P Register dated June 17 in the amounts of \$4,500 and \$114,059.34.

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

MID PERIOD BUDGET FINANCIAL REPORT

Supervisor Magryta has provided the Board with a Cash Forecast report that was prepared by the Comptroller. The Supervisor reviewed some of the report with the public. Supervisor Magryta said he is confident that this forecast is accurate.

Supervisor Magryta would like to be able to lower taxes between 5-10% for the upcoming year.

FORT MONTGOMERY WATER PROJECT UPDATE

Supervisor Magryta said that the purpose of this discussion is to relay to the public the progress that has been made. The Supervisor said that there is a good potential to enter into an agreement to get water to Fort Montgomery and he is encouraged by how well all the entities are working together.

Justin Rider said that, about two weeks ago, the Town Board undertook the SEQR process for this project. Mr. Rider explained that there is now the ability to add to the piping and allow approximately 70 parcels to be hooked up to water. Mr. Rider said that this is a great capital project for the community.

Mr. Rider introduced John Sarcone who is the attorney working with the Special Master and John Folchetti who is the engineer who helped design the project.

John Sarcone explained that the Town has been ordered by a Federal Judge to bring water to Fort Montgomery.

John Folchetti said that his firm evaluated the different alternatives to get water to Fort Montgomery and chose the one they felt would be most beneficial and cost effective for the community. Mr. Folchetti said the areas covered by the expansion are Montgomery Rd, Drew Rd, Oakwood Rd and Firefighter's Memorial Drive.

Greg Maher asked how the routing for the pipes was chosen.

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Supervisor Magryta said that the Federal Government and Department of Health has informed the Town that Drew Rd must be repaired because their water system will not hold up. The Supervisor informed Mr. Maher that the engineers spent a lot of time determining the best path to go.

Mr. Maher asked how much water was needed and how much was available.

Supervisor Magryta said that he did not have the exact numbers, but assured Mr. Maher that there was enough water available to handle the extension.

June Gunza asked Mr. Sarcone if there would be additional funding available at a later date.

Mr. Sarcone said that this was a one-time deal with the Trust Partnership.

Council Member Livsey asked Mr. Rider what he could discuss in public.

Mr. Rider explained he could discuss the project, but not details of the settlement.

Council Member Livsey informed everyone that this project will cost the residents money.

Mr. Folchetti explained that every household, in the district, will be charged \$120/year for debt service and each household hooked up to water will be charged approximately \$500/year for water usage.

Ann Scott asked Mr. Folchetti how he determined where to bore test holes.

Mr. Folchetti said that it was decided based on the alternative chosen.

Supervisor Magryta believes that this is a good proposal.

TOWN OF HIGHLANDS FUEL PURCHASE PROGRAM

Supervisor Magryta met with Supt. Squicciarini to discuss possibly getting out of the gas business. The Supervisor said that the Town will now be using a credit card system to purchase gas at the local gas station. The Supervisor explained that the Town will pay for the gas and an additional fee for the merchant, but will not pay any of the taxes.

TOWN OF HIGHLANDS POLICE DEPT. – PERSONNEL AND TRANSFER REQUEST

Council Member Livsey made a motion seconded by Council Member Tautel to accept the resignation of part-time police officer Miguel Rodriguez.

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

Council Member Tautel made a motion seconded by Council Member Livsey to hire Raymond Burr as a part-time Police Officer for the Town of Highlands.

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

OIC Bailey explained that he has received a matching grant for \$2,500 from the Orange County Youth Services to help fund a Community Day and he would like to transfer \$2,500 from his personnel account to match the grant. OIC Bailey said that the Community Day will take place on August 6 from 10am to 4pm at Brook's Park and admission is free.

Council Member Tautel made a motion seconded by Council Member Gokey to transfer \$2,500 from B3120.01 (Personnel Acct) to 3120.0410 (Supplies).

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

NYS RETIREMENT ROTH CONTRIBUTIONS PROPOSAL

Supervisor Magryta said that NYS Retirement System is offering Town employees the opportunity to make Roth contributions. The Supervisor said that the Board needs to decide if they wish to participate.

Council Member Tautel made a motion seconded by Council Member Livsey to approve the Town's participation in the Roth 456 Plan effective August 1, 2011.

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

DIAL-A-BUS

Council Member Livsey said that he wanted to use the Dial-A-Bus for transportation for the Community Day, but Orange County said that is considered chartering which is not allowed.

Council Member Livsey said he provided the Board with a copy of the Dial-A-Bus Policy and he would like a motion to approve it.

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Supervisor Magryta said it could be approved subject to amendments if needed.

Council Member Livsey made a motion seconded by Council Member Edsall to approve the Dial-A-Bus Policy.

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

Council Member Livsey informed the Board that part-time Dial-A-Bus driver Matt Lanier is resigning effective at the end of the month. Mr. Livsey has a request to hire William O'Dell as a part-time driver.

The Board is not in receipt of a resignation letter from Mr. Lanier and decided to table these issues until one is provided.

OC DEPT OF EMERGENCY SERVICES – INDIAN POINT PROTECTIVE ACTION AREAS

Supervisor Magryta said he spoke to Director of Emergency Services and the Village Mayor about the Indian Point evacuation. The Supervisor said that, as it stands right now, anyone within 5 miles of Indian Point need to evacuate. The Supervisor said that Emergency Services is working to modify this and break it up into jurisdictions (i.e. Fort Montgomery, Highland Falls, West Point, etc.).

ASSESSOR'S DEPT. UPDATE/NEW HOURS

Council Member Gokey explained that there are new hours for the Assessor's office. Ms. Gokey said the hours are: Mon-Thurs from 9-3, Fri from 9-2, Tue from 5-7:30, Wed from 5-7:30 and Sat from 9-2.

Supervisor Magryta said that the residents will be receiving the same level of service or better.

RECREATION PROGRAM UPDATE – SUMMER PROGRAM

Supervisor Magryta said there has been some criticism about the fees being charged for the summer program, but he stressed that they are the lowest fees around and the Recreation Commission is the one to determine the fees. The Supervisor also stated that the scholarship money from Orange County sent 19 underprivileged children to camp.

STATE DOT 9W ISSUES

Supervisor Magryta has contacted DOT in reference to the grass not being cut on 9W. The Supervisor was informed that the situation will be taken care of very soon.

COMMUNITY REQUESTS

Supervisor Magryta received a request from Rev Matos from the Church of God to use Memorial Park for a bi-lingual revival on July 28.

Council Member Livsey made a motion seconded by Council Member Tautel to approve Rev Matos to use Memorial Park for a bi-lingual revival on July 28, 2011.

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

Supervisor Magryta has a request from JoJo's Food Shop to sell Italian ices at Long Pond.

Council Member Tautel asked if the Town needed to go through West Point before this can be approved.

Mr. Rider said he does believe that West Point has to be consulted because of the lease agreement.

Supervisor Magryta asked the Board if they wanted to approve the request conditionally.

Mr. Rider is comfortable with a conditional approval.

Council Member Tautel made a motion seconded by Council Member Livsey to approve this request conditionally based on the input of Jim Willis, West Point, Counsel and that they have the proper health and insurance certificates.

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

OUTSTANDING COMMITTEE ISSUES

Council Member Livsey:

Council Member Livsey spoke to Justice Fatsis about the Community Service program. Mr. Livsey said that this is a very good program for this community. Mr. Livsey will be meeting with someone about the Patriot Garden soon.

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Council Member Tautel:

Council Member Tautel copied the Board with a letter from the Governor's Counsel about the Peace Officer legislation. Ms. Tautel explained that this legislation is on the Governor's desk waiting for a signature.

Council Member Edsall:

Council Member Edsall thanked Capt. Stropfel for everything he has been through and everything he does.

Council Member Gokey:

Council Member Gokey said she met with our IT people and a vendor about the Voice Over IP and it looks like it will be a tremendous savings to the Town. Ms. Gokey will be receiving a proposal from the vendor shortly.

Supervisor Magryta:

Supervisor Magryta was approached by a resident about the sewer point system. The Supervisor said the sewer point system needs to be addressed soon.

Mr. Rider said that a draft of the Local Law should be available for the next workshop and the Board could possibly set up a public hearing.

Council Member Livsey said he would work with Council Member Edsall on this.

Council Member Edsall said he would ask Mr. Hager if he wants to attend the workshop.

Supervisor Magryta said he will put the issue on the agenda for the workshop.

Supervisor Magryta said the Ambulance is ahead of schedule on revenue.

Council Member Tautel commended Capt. Stropfel for his dedication to the community.

Supervisor Magryta said that the Hike and Bike Sundays has begun.

Council Member Edsall said that the first Sunday was very well attended.

Supervisor Magryta asked if the "Green Team" was part of the Town and asked if the Town should be insured for the Hike and Bike events.

Mr. Rider stated that the "Green Team" was formed in 2008, but he is not sure what the relationship has been with the Town. Mr. Rider does know that the Town does not control or monitor the "Green Team". Mr. Rider said that he does not know if there is a substantial risk to the Town or not.

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Supervisor Magryta would like the Board to consider, and Counsel to way in, on the matter of the Town getting liability insurance.

Mr. Rider will look at the issue further.

Supervisor Magryta asked the Town Clerk to contact the insurance and ask if there is an additional cost to provide a Certificate of Insurance to DOT. The Supervisor asked Council Member Edsall to follow up with Mr. Rider on the insurance issue.

PUBLIC COMMENT

Greg Maher informed the Board that 9W, between Highland Falls and Fort Montgomery is also an overgrown mess.

Ann Scott asked what the amount of the reserve fund was.

Supervisor Magryta informed Ms. Scott that the amount in the reserve fund was \$2.2 million.

Ann Scott commended everyone for their savings.

EXECUTIVE SESSION

Council Member Tautel made a motion seconded by Council Member Livsey to go into executive session to discuss: 1) matters relating to proposed, pending or current litigation; and 2) matters relating to collective negotiations under the Taylor Law. Board went into executive session at 9:45pm.

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

Council Member Livsey made a motion seconded by Council Member Edsall to close the executive session. Executive session closed at 10:35pm.

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

Council Member Tautel made a motion seconded by Council Member Livsey to adjourn the meeting. Meeting adjourned at 10:36pm.

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

Attest,