

## **TOWN BOARD**

The Town Board, Town of Highlands, held a workshop on Monday, March 28, 2011 at Town Hall, 254 Main St, Highland Falls, NY 10928 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 |
|          | Justin Rider          | ---- | Counsel        |
|          | June Patterson        | ---- | Town Clerk     |

Supervisor Magryta opened the workshop at 7:30pm.

### **PUBLIC COMMENT**

Laura Milsom stated that she supports consolidation and thanked the Board for working so hard to reduce taxes.

June Gunza said that the Village offered to have a joint police chief to oversee both the Town and Village police departments.

Supervisor Magryta said that he has not received a formal offer and he would like to see something in writing.

Bill Stroppel said that the individual who stole the flag from the Emergency Services building has returned the flag and no charges will be filed.

### **SUPERVISOR'S COMMENTS**

Supervisor Magryta was informed by Highway Supt. Squicciarini that he has found a company that will provide containers for our recycling and remove it without cost to the Town. The Supervisor said that beginning April 8; the recycling (including paper) will be picked up in Fort Montgomery every Friday and in the Village every Monday. The Supervisor reported that the Town will save approximately \$13,000 using this company. The Supervisor said that the Town is also looking into purchasing cans, similar to the garbage cans, for the residents to use for recycling, which will allow the trucks to use the automatic arm to dump them.

Supervisor Magryta attended the Greek Flag Raising Ceremony. The Supervisor would like to recognize Nick Podias, Konstantinos Fatsis and Irene Condoulis.

**INFORMATION TECHNOLOGY**

Supervisor Magryta said the Town has been paying approximately \$75,000 for IT services and after researching other options, the decision has been made to work with New Windsor for IT services. The Supervisor said that the cost to the Town for this new service will be between \$10,000 and \$15,000 a year. The Supervisor also said that the Town should have a website up by next month.

Council Member Gokey said the hours for technical support are 6:30am to 4:30pm and the Town is only charged if the technician comes on site or is called after hours.

Supervisor Magryta said that this was not an easy decision, but he is optimistic.

The Board expressed their appreciation to the former IT Specialist for all the work he did for the Town.

Council Member Gokey made a motion seconded by Council Member Tautel to adopt the resolution to authorize execution of an agreement between the Town of Highlands and the Town of New Windsor for Information Technology Services.

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

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

**PEACE OFFICER LEGISLATION**

Council Member Tautel reported that she met with Justice Fatsis and Senator Larking regarding the Peace Officer Legislation. Ms. Tautel was informed that the Town must adopt a resolution approving a Home Rule Request which must be forwarded to Senator Larkin and Assemblywoman Calhoun. After they receive the resolution, draft legislation will be prepared and sent to the Town for signature, which will then be sent back to Senator Larkin for action.

Council Member Tautel made a motions seconded by Council Member Gokey to adopt the resolution approving a Home Rule Request for an act to amend the criminal procedure law to grant Peace Officer status to Court Attendants in the Town of Highlands.

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

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

**BUILDING DEPARTMENT HOURS**

Council Member Tautel said that Building Inspector Marshall has requested that the Building Department hours be extended to 7:00am to 4:30pm. Ms. Tautel was informed by Mr. Marshall that with the upcoming nice weather, the extra hours will be a benefit to the community. Ms. Tautel said that Mr. Marshall will work from 7am-3:30pm and Mr. Hager will work from 8am-4:30pm.

Supervisor Magryta said that this is great and commends Mr. Marshall for his effort.

Council Member Livsey made a motion seconded by Council Member Edsall to extend the Building Department hours to 7:00am to 4:30pm with Larry Marshall working 7am-3:30pm and John Hager working 8am-4:30pm.

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

**STATE REPORT – PREPARATION OF CAP RESPONSE**

Supervisor Magryta asked Comptroller Blauvelt to attend and relay to the Board what is expected.

Comptroller Blauvelt explained that the CAP must address each point in the report.

Supervisor Magryta said that this will take a couple of workshops to complete. The Supervisor also said that this is due to the State the first or second week in May.

Supervisor Magryta started reviewing the recommendations.

**Recommendation #1:** The Board should obtain training to understand the responsibilities associated with being a Board Member.

Council Member Gokey said that the Association of Towns was attended.

Council Member Edsall would like to keep the response general.

Supervisor Magryta said that in the template it states that the response needs to be specific. The Supervisor thinks that research needs to be done to find out what training is available to Town Board Members.

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Comptroller Blauvelt said that there is a lot of information on the State Comptroller's website and that maybe the Board members can read some of it.

Supervisor Magryta said that there are nine responses to cover. The Supervisor would like to go over each one and have the Board Members volunteer to handle them.

Council Member Edsall said that he would handle Recommendation #1.

**Recommendation #2:** The Board should establish controls that ensure proper oversight of Town's operations.

Supervisor Magryta will handle Recommendation #2.

**Recommendation #3:** The Board should ensure all appointed officials perform the duties of the appointed position required by law and sound management practices and take action whenever an official does not perform the required duties.

Council Member Tautel will handle Recommendation #3.

Justin Rider said that this mostly pertains to the Comptroller's office.

**Recommendation #4:** The Board should require monthly financial status reports for review.

Supervisor Magryta said that this is already been done.

**Recommendation #5:** The Board should implement internal controls to ensure that the Comptroller keeps complete and accurate accounting records.

Council Member Gokey will handle Recommendation #5.

**Recommendation #6:** The Board should review bank reconciliations on a regular basis to ensure they are being prepared in a proper manner.

Supervisor Magryta will handle Recommendation #6.

Supervisor Magryta will include bank reconciliations as part of the Town Board meeting approvals.

**Recommendation #7:** The Board should establish policies and procedures that require the Recreation Department, Dial-A-Bus service, and Clerk to issue pre-numbered cash receipts. The individual collecting the cash should issue the receipts in sequence, and sign receipts. In addition, the Comptroller should periodically audit the receipt books and maintain control over the inventory of receipt books.

Comptroller Blauvelt said this is being done per the Cash Receipt Policy.

Supervisor Magryta will include the Cash Receipt Policy in the write-up, along with the Audit Schedule and signature page.

**Recommendation #8:** The Board should consider revising the purchasing policy.

Council Member Livsey will handle Recommendation #8.

Mr. Rider said that some of that is already in the procurement policy and will need the process of a local law to change.

**Recommendation #9:** The Board should ensure that the Comptroller:

- \*Files a detailed monthly report of all moneys received and disbursed by the Supervisor, Comptroller, Clerk, Tax Collector, Justice Court, Dial-A-Bus service, and Recreation Department during the month with the Board and Clerk.

- \*Files annual financial reports with the State Comptroller and Clerk in a timely manner and provides certified copies to the official newspaper for publication.

- \*Makes an accounting to the Board of the books and records of the Supervisor, Comptroller, Town Clerk, Tax Collector, Dial-A-Bus service and Recreation Department on or before January 20 each year.

- \*Completes an annual audit of the Town's books and records.

Supervisor Magryta stated that the date for the report of the books and records has changed to April 1 or May 1, with an extension.

Supervisor Magryta asked Council Members Gokey and Tautel and Comptroller Blauvelt to work on this together.

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Supervisor Magryta would like all the write-ups, even if only a draft, to be prepared before the next workshop. The Supervisor asked the Board to look at the template provided and write up the answers accordingly. The Supervisor asked the Board to e-mail their write-ups to him and he and Comptroller Blauvelt will review them before the workshop.

Comptroller Blauvelt explained the bank reconciliation statement to the Board.

### **OUTSTANDING COMMITTEE ISSUES**

#### **Council Member Tautel:**

Council Member Tautel has been in contact with County Legislator Roxanne Donnery and was told that the Orange County grant cannot be extended because the Town does not have an energy audit.

Council Member Tautel has a proposal from McGoey, Hauser & Edsall for an energy audit and she would like it to be put on the agenda for the next meeting or workshop.

Council Member Tautel has information on a free energy audit offered by Central Hudson. Ms. Tautel would like to focus on getting a grant to replace the oil burner at the Town Hall.

Council Member Tautel said that records were pulled for the 2004 DEC grant and some expenses have been approved. Ms. Tautel said that the next step is to re-write the budget and narrative, get Board approval and send it back.

#### **Council Member Livsey:**

Council Member Livsey said he has a list of things that he needs to discuss, but because of the late hour, he is requesting a special meeting be held as soon as possible.

Supervisor Magryta scheduled a special meeting on Monday, April 4, 2011 at 7:30pm.

Council Member Livsey asked the Board to approve spending \$180 to have canvass put up on the backstop at the softball field.

Supervisor Magryta said the expenditures for Brooks Park have already been approved.

Council Member Livsey said he will provide copies of the information to the Board at Monday's meeting.

Supervisor Magryta said that Colleen Solan said that the Dial-A-Bus needs to be 19-A compliant.

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Council Member Livsey said that he has a meeting scheduled with Ms. Solan.

Council Member Edsall said that Doris Lent is looking for guidance on the money that is available.

Supervisor Magryta said that the Board decided that the money would be available to different groups and it would be distributed based on proposals received.

**EXECUTIVE SESSION**

Supervisor Magryta would like to move the executive session to Monday's meeting.

**PUBLIC COMMENT**

There was no public comment.

Council Member Tautel made a motion seconded by Council Member Livsey to adjourn the workshop. Workshop adjourned at 10:10pm.

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

Attest,

RESOLUTION

OF

MARCH 28, 2011

A RESOLUTION OF THE  
THE TOWN OF HIGHLANDS TO  
AUTHORIZE EXECUTION OF AN AGREEMENT  
BETWEEN THE TOWN OF HIGHLANDS  
AND THE TOWN OF NEW WINDSOR FOR  
INFORMATION TECHNOLOGY SERVICES

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

WHEREAS, the Town of New Windsor in the County of Orange (“New Windsor”) has proposed an Inter-Municipal Agreement (the “Agreement”) with the Town of Highlands the purpose of which is to assist the Town of Highlands with the configuration, maintenance and oversight of its computers, servers, network infrastructure, hardware and technology;

WHEREAS, the Town Board has reviewed the terms and conditions of the Agreement and deems it to be in the public interest for the Town of Highlands to enter into the Agreement in substantially the form annexed hereto as Exhibit “A”; and

WHEREAS, the entering of such an agreement is a local legislative decision in connection with continuing agency administration and management, and does not include 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.

NOW, THEREFORE, BE IT RESOLVED; that the Supervisor be and he hereby is authorized and directed to execute the Agreement; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are hereby authorized and empowered 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 contents of the foregoing resolutions and the terms and conditions of the Agreement; and

BE IT FURTHER RESOLVED that the aforesaid resolution 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 Town Board workshop on Monday, March 28, 2011.

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June Patterson, Town Clerk

RESOLUTION

OF

MARCH 28, 2011

A RESOLUTION OF THE TOWN BOARD  
APPROVING A HOME RULE REQUEST FOR AN ACT  
TO AMEND THE CRIMINAL PROCEDURE LAW TO GRANT  
PEACE OFFICER STATUS TO COURT ATTENDANTS  
IN 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 wishes to request the Hon. William J. Larkin, Jr., Senator for the 39<sup>TH</sup> District and the Hon. Nancy Calhoun, Assemblywoman for the 96<sup>TH</sup> District to introduce legislation which would grant peace officer status to court attendants in the Town of Highlands; and

WHEREAS, Home Rule Requests must be submitted to the Assembly and/or Senate for the enactment of such Special Law; and

WHEREAS, the Town Board of the Town of Highlands wishes to make Home Rule Requests for enactment of New York State Assembly and Senate Bills pertaining to an Act granting peace officer status to court attendants in the Town of Highlands.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby requests the Hon. William J. Larkin, Jr., Senator for the 39<sup>TH</sup> District and the Hon. Nancy Calhoun, Assemblywoman for the 96<sup>TH</sup> District, to introduce an Act granting peace officer status to court attendants in the Town of Highlands and to take such other action as may be necessary to secure the enactment of such special law; and

BE IT FURTHER RESOLVED that the Town Board hereby approves Home Rule Requests to the New York State Assembly and the New York State Senate for enactment of such special law; and

BE IT FURTHER RESOLVED, that the Supervisor and the Town Clerk of the Town of Highlands 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 foregoing resolution; and

BE IT FURTHER RESOLVED, that this Resolution 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 Town Board workshop on Monday, March 28, 2011.

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June Patterson, Town Clerk