

TOWN BOARD

The Town Board, Town of Highlands, held a special meeting on Monday, August 15, 2011 at Town Hall, 254 Main St, 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
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

Supervisor Magryta opened the special meeting at 7:35pm.

Supervisor Magryta explained that tonight's meeting is a rescheduled meeting from last Monday. The Supervisor informed everyone that on Thursday the Board will interview Police Chief Candidates, on Monday the Board will hold its workshop and on August 25 there will be a public hearing on the water project.

Supervisor Magryta asked for a moment of silence for the SEALS that were killed and for the people killed in Indiana.

PUBLIC COMMENT

Pharoby Ripa questioned the statement in last week's paper that said the salary increases for the Board would be determined by an outside agency.

Mr. Rider said that the Board decided to seek outside opinion from an expert in Municipal Law.

Supervisor Magryta explained that the Board agreed to go down this road to prevent litigation and that the Board will accept the opinion of the expert.

Charlie Murphy said that a resident approached her concerned about the blind turns on Canterbury Road and that they would like to see lines painted on the road.

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Supervisor Magryta said that parts of the road are not wide enough and he believes that the big issue is speed. The Supervisor said that the Highway crew has put up signs and they have helped.

Dan Malarky is upset about the Zoning and Planning Boards cancelling their meetings and that Council Member Tautel has not called her back. Mr. Malarky believes that the Board is covering for Building Inspector John Hager.

Supervisor Magryta said that, while he respects Mr. Malarky's frustration, no one is covering for anyone.

Mr. Rider informed Mr. Malarky that the Board cannot override Mr. Hager and that the Zoning and Planning Board meetings were cancelled because there were no items on the agenda.

Supervisor Magryta told Mr. Malarky that he and Council Member Tautel would need to work together to get some answers and he would need to go to the other boards to get closure.

MINUTES

Council Member Livsey made a motion seconded by Council Member Edsall to approve the minutes from July 11, 21 and 25.

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

Council Member Gokey made a motion seconded by Council Member Livsey to approve the minutes from the August 1 meeting.

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

AUDIT OF ACCOUNTS PAYABLE

Council Member Livsey made a motion seconded by Council Member Gokey to approve the A/P Register dated 7/1/11 in the amount of \$64,890.96.

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

Council Member Tautel made a motion seconded by Council Member Livsey to approve the A/P Register dated 7/15/11 in the amounts of \$87,988.89 and \$934.50.

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

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Council Member Tautel made a motion seconded by Council Member Gokey to approve the A/P Register dated 7/29/11 in the amounts of \$56,494.28 and \$195.00.

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

Council Member Livsey made a motion seconded by Council Member Gokey to approve the A/P Register dated 6/3/11 in the amount of \$30,299.38.

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

PUBLIC SERVICE AND COMMUNITY ANNOUNCEMENTS

Supervisor Magryta introduced Mr. & Mrs. Albert Rodriguez who will be opening “My Town Market Place”, which will be a grocery store where the old Key Food was.

Mr. Rodriguez said he should be open at the end of the month and he will do his best to provide a nice place where people can purchase groceries.

INTRODUCE AND SCHEDULE A PUBLIC HEARING – LOCAL LAW #2 OF 2011 (Drop Box/Storage)

Council Member Tautel made a motion seconded by Council Member Gokey to Introduce and schedule a Public Hearing to Receive Public Comments Concerning the Enactment of a Local Law Amending Chapter 94 Entitled “Dumpsters and Garbage” of the Code of the Town of Highlands.

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

******RESOLUTION ATTACHED******

FIXED ASSET VALUATION – INSURANCE REQUIREMENTS CHANGE

Supervisor Magryta said that when the fixed assets audit was done it was discovered that the Town’s assets were worth \$6.2 million which is almost double from the expected amount. The Supervisor said that because of this, the insurance premium has gone up.

Council Member Tautel said that there are two different amounts.

Supervisor Magryta said that CLG will be contacted for clarification.

HIGHWAY DEPT. – DEPUTY HIGHWAY SUPERINTENDENT STATUS CHANGE

Supervisor Magryta received a letter from Chris Dean resigning from his position as Deputy Highway Superintendent and requesting to become a member of the Highway Association as foreman.

Mr. Rider suggested that the Board accept the resignation when the Highway agreement is given to the Board.

Greg Maher explained that Mr. Dean only receives a small stipend as Deputy Highway Supt.

Mr. Rider said that clarifies his concerns.

Council Member Livsey made a motion seconded by Council Member Tautel to accept Chris Dean's resignation as Deputy Highway Superintendent.

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

OUTSTANDING COMMITTEE ISSUES

Council Member Livsey:

Council Member Livsey said that Colleen, Dial-A-Bus Manager, went to DMV and brought forms back. Mr. Livsey said that DMV is working with the Town.

Council Member Livsey said he has a meeting on Thursday about worker's compensation.

Council Member Livsey spoke to Doug Willis, Wastewater Plant Operator, and they are going to meet to discuss some small issues.

Council Member Livsey spoke to Erin O'Neill and everything will be submitted to the State so the Town can begin getting reimbursed for the work done at Brooks' Park.

Council Member Tautel:

Council Member Tautel received a letter from the Town Clerk requesting permission from the Board for employees to donate sick time to another employee.

Supervisor Magryta asked Mr. Rider is this was legal.

Mr. Rider responded that it has been done in the past and he believes that a policy has been established.

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Council Member Tautel made a motion seconded by Council Member Gokey to allow the donation of 7 weeks/1 day to the ill employee.

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

Council Member Livsey informed everyone that he has a worker' compensation meeting Thursday at 2pm and a meeting with John Hager at 3pm.

Council Member Gokey:

Council Member Gokey said the Internet Policy has been given to Counsel and changes have been made. Ms. Gokey said the final version is ready for the Board to adopt.

Supervisor Magryta said that this has been discussed and it is important everyone knows what is acceptable.

Council Member Edsall made a motion seconded by Council Member Livsey to adopt the Internet Policy.

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

Council Member Gokey received a quote from a vendor for Voice Over IP. Ms. Gokey explained that the cost is \$1,800 to map it out and if the Board decides to go with this vendor a portion of that money will be credited back.

Supervisor Magryta would like to push this to the workshop so everyone can have a chance to review the quote.

Council Member Edsall:

Council Member Edsall sent an e-mail out pertaining to an incident that the Ambulance Corps and Fire Department had near the State Garage on Rte 218. Mr. Edsall would like to get the story straight.

Supervisor Magryta said this is an issue that should be discussed with the Garrison Commander. The Supervisor would like to set up a meeting with Capt. Stroppel, OIC Bailey and Chief Smith to discuss this.

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Supervisor Magryta:

Supervisor Magryta spoke with Supervisor Quigley and Mayor Coyne from Cornwall and they have asked for the Town to provide insurance coverage for them for the Hike and Bike Sundays. The Supervisor was informed that it was possible, but not advisable to do this. The Supervisor asked the Board whether they wanted to do this.

Council Member Livsey made a motion seconded by Council Member Gokey to not insure the Town of Cornwall for the Hike and Bike program.

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

Council Member Edsall would like Olga Anderson and Ed Nugent be considered representatives of the Town.

Council Member Edsall made a motion seconded by Council Member Tautel to recognize Olga Anderson and Ed Nugent as representatives of the Town for the Hike and Bike program.

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

Supervisor Magryta would like to push the discussion for sanitation and water hook-ups to the workshop.

Supervisor Magryta has a budget transfer request from OIC Bailey to cover the cost of painting one of the police cars. The Supervisor would like to discuss this further at the workshop.

Supervisor Magryta would like to push the request from the Highway Supt. about a truck to the workshop.

PUBLIC COMMENT

Pharoby Ripa asked about depreciation for the fixed assets.

Supervisor Magryta said that there is no depreciation of assets for a municipality.

Mrs. Ripa asked if the Village and Town were still talking about consolidation.

Supervisor Magryta said he has sent letters to the Village and left a voicemail with a School Board member and has had no response.

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Mrs. Ripa said she would like to see something done.

June Gunza said that when Council Member Tautel offered to set up a meeting the Village Board agreed.

Greg Maher asked what the Town was insuring for the Hike and Bike program.

Mr. Rider said the Town was insuring their property interests.

Supervisor Magryta thanked all the 1st Responders for EMS day and for always being there and giving 110%. The Supervisor said he is looking forward to next year's EMS day.

EXECUTIVE SESSION

Council Member Livsey made a motion seconded by Council Member Edsall to go into executive session to discuss 1) Matters relating to collective negotiations under the Taylor Law; and 2) Matters relating to proposed, pending or current litigation. Board went into executive session at 9:40pm.

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

Council Member Tautel made a motion seconded by Council Member Livsey to close the executive session. Executive session closed at 10:22pm.

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

Council Member Tautel made a motion seconded by Council Member Gokey to adjourn the meeting. Meeting adjourned at 10:23pm.

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

Attest,

RESOLUTION
OF
AUGUST 15, 2011

A RESOLUTION TO INTRODUCE AND
SCHEDULE A PUBLIC HEARING TO RECEIVE
PUBLIC COMMENTS CONCERNING THE ENACTMENT OF
A LOCAL AMENDING CHAPTER 94 ENTITLED
“DUMPSTERS AND GARBAGE”
OF THE CODE OF THE TOWN OF HIGHLANDS:
DROP BOXES AND STORAGE CONTAINERS

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

BE IT RESOLVED, that INTRODUCTORY LOCAL LAW NO. 2 OF 2011 entitled “A Local Law Amending Chapter 94 entitled ‘Dumpsters and Garbage’ of the Code of the Town of Highlands: Drop Boxes and Storage Containers” be and hereby is introduced before the Town Board of the Town of Highlands in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that pursuant to Municipal Home Rule Law Section 20, a public hearing shall be held to receive comments concerning the enactment of said Local Law on September 12, 2011 at 7:00 p.m. at the Town Hall located at 254 Main Street, Highland Falls, New York, and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing specifying the time when and the place where such public hearing will be held by publication and posting in accordance with the Municipal Home Rule Law.

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 August 15, 2011.

June Patterson, Town Clerk