

TOWN OF HIGHLAND
SPECIAL TOWN BOARD MEETING
January 4, 2024
ELDRED TOWN HALL

PRESENT SUPERVISOR JOHN PIZZOLATO
 COUNCILMAN JIM AKT
 COUCILWOMAN KAITLIN HAAS
 COUNCILMAN TOM MIGLIORINO
 COUNCILPERSON LAURA BURRELL

Also present, Town Clerk Susan Hoffman

Supervisor calls meeting to order – 8:00 am

Flag Salute

Roll Call, Councilwoman Haas, not present

Supervisor: The purpose of this meeting is to appoint an attorney for the town. We didn't anticipate getting the Open Meetings Board of Albany involved in our process, but that was contacted by one of our council people. The process was set forth for the personnel board, Because of the definitions that were provided by Councilwoman Haas about the Sunshine laws, we thought we were doing the right thing by getting together with just the Personnel Committee, it gave Laura and Tom the opportunity to meet with people. I respect that it was last minute, but we did everything we could to be as compliant as possible as set forth by the Sunshine laws. Then the complaint came in or was referred to regarding the Open Meetings laws. There are two separate laws, sunshine says you can't get more than two people together or you're breaking the sunshine law. Open Meetings Laws defined something a little bit different. I spoke to Miguel at great length. Miguel was the person who Councilperson Haas was in contact with the Open Meetings Department in Albany. He was only given part of the information. He didn't know that this all took place at a reorganization meeting. He didn't know that we announced to the public that our personnel committee was getting together. He didn't realize that these were two meetings that were announced to the public and that the date was set for the special meeting, all that was left out. I don't know if it was left out with good or bad intentions. The point is the council person wasn't here and was trying to report something to the state and gave a portion of the response. I was able to chronicle everything that happened yesterday, just with the interviews and spoke to him. He's going to give us a response. They're not a regulatory agency. No violations can be issued. If the council person wants to set forth an article 78 or file something in the court's she is more than welcome. To my mind, we were compliant and did everything within our power to execute the rules of Open Meetings and respect the Sunshine Laws as well. We never actually posted this position, but we were in the unique position that three very qualified applicants reached out to us. I think that there was a general familiarity with the majority of the applicants with myself and Laura and with you, Jim. Tom got to know Steve Mogel.

We can call all the applicants who are waiting by now if we have additional questions after the Personnel Committee presents their findings. Jim and I in full disclosure have worked with Steve Mogel before, he's a land use real estate attorney. Laura knows of him from that experience. Steve Vegliante is also a land use attorney he used to be the supervisor for the Town of Fallsburg and reached out approached Laura and I at the Democratic Convention fundraiser and said if this position arises, I would like to be there. Then He submitted his application. Mike McGuire, I've worked with him in the county, he was the county attorney. He's a corporate judge. He reached out early on right after the election and then continued to reach out to other council people so we entertained his application. Because we have three very qualified candidates and the goal is to hire an attorney for the town. There's been a little mix up of what was again presented to the Open Meetings office. We're looking for an attorney for the town, a town attorney is something different. A town attorney is elected in most cases and municipalities, they're part of the community, live within the community and they have a salary. We're looking for an at will attorney for the town. If we do not like the way that it's going, we can very easily change out the attorney for the town if we don't feel that they have the skill set or they're showing some bias or they're not representing us in the way that we want to be represented. We can make a very simple motion to thank them and move on. I also want everybody to know that Javed was done out of complete need and necessity. We will approach how we're going to compensate Javed at the first board meeting because it's going to come out of our legal fund because we didn't have an attorney, and we didn't have any incumbent board members present to start the meeting. That's why the three of us and Joe got sworn in in advance because there was no mechanism for us to physically start the meeting. I can give you my findings, Laura can sum it up, I basically while the three of them were talking. I wrote down their experience, a quote about the work that they would provide for us and their specialty in practice. See mogul is the Motion by Councilperson Burrell to go into Executive Session, seconded by Councilman Akt, motion carried, all ayes.

Motion by Councilperson Burrell to come out of Executive Session, seconded by Councilman Migliorino Tom shared our responses from the Personnel Committee and I think the board has reached a decision.

Motion by Councilman Akt to appoint Steven Mogel as the Attorney for the Town, seconded by Councilperson Burrell, motion carried, all ayes.

Motion by Councilman Migliorino to adjourn the meeting, seconded by Councilman Akt, motion carried, all ayes.

Respectfully submitted
Susan Hoffman, Town Clerk
January 4, 2024