

June 14, 2023

The Town Board of the Town of Harpersfield held a regular meeting on June 14, 2023.

Present were: Lisa M. Driscoll, Supervisor  
Matthew J. Taylor, Councilmember  
Patrick F. Funk, Councilmember  
Erik R. Reeve, Councilmember  
Dwayne C. Hill, Councilmember

Also present: Russell Hatch, Supt of Highways  
Linda E. Goss, Town Clerk  
Laurie Bedford, Town Assessor, Chairperson

Others present: Henry L. Browning  
Rhonda Slicer  
Gloria Anderson

The meeting was called to order at 7:03 PM by Supervisor Lisa M. Driscoll.

Supervisor Driscoll led the Board and those in attendance in the Pledge of Allegiance to the Flag.

Supervisor Driscoll asked the Board if they had received the minutes for the regular meetings held on April 12, 2023 and May 10, 2023? The Board had received the minutes. Supervisor asked the Board if they had any questions, comments, or corrections to be made to the minutes? The Board had no questions, comments or corrections to be made to the minutes. A motion to accept the minutes for the regular meetings held on April 12, 2023 and May 10, 2023 as presented was made by Dwayne C. Hill seconded by Patrick F. Funk. All voting Aye.

Linda E. Goss reported to the Board that she has received by Certified/Return Receipt Requested mail on June 12, 2023 a notification of a Liquor License renewal for MaMa Maria's Pizzeria & Restaurant. This license is renewed every two years.

Supervisor Driscoll informed the Board that she has spoken to the Delaware County Sheriff DuMond about the ATV/UTV local law. Sheriff DuMond has some concerns about these local laws. He stated that this is an old law that they are trying to apply today. UTV's can not be registered so they are not in NYS Vehicle & Traffic Law. Only ATV's are in NYS Vehicle & Traffic Law. He feels that the two local laws are misrepresenting the law. Sheriff DuMond does not think that UTV's can be added to the law. The NYS Vehicle and Traffic Law states that permission is given to ride from trail head to trail head not just riding on Town roads. Sheriff

DuMond is also worried about the younger generation riding ATVs on the road. Supervisor Driscoll added that in the Board members packet is documentation that was presented to the Town of Kortright Town Board from Brian J. Hartman resident of the Town of Kortright. One of Mr. Hartman's concerns is that a 10 year old person can be riding an ATV with a 16 year old person watching over them. Sheriff DuMond also suggested that the Town speak to the Town Attorney about this local law. Sheriff DuMond has concerns about how to enforce this local law. He feels it will be hard to enforce this law. The discussion continued. A statement was made that the local law could include that riders need to be sixteen years of age with a learners permit to be on the road. You have to have those qualifications to drive a motorcycle on the road the local law should not be any different. There have been many Towns that have enacted this type of local law already. A discussion was had on filing a local law with the Department of State. A statement was made that if this was not legally able to be done all of these other Towns would not be doing it. Lewis County, Tug Hill has been doing this for a long time. A statement was made that the Town of Harpersfield does not meet the same criteria that they do. A statement was made they are going from trail head to trail head. A statement was made that there are no public trails around here. The discussion continued. A statement was made that the information from Mr. Hartman states that Courts have invalidated local laws designating highways as open to ATV use where the designations were not supported by these required findings. The discussion continued. A question was asked did Lewis County open all of their roads or just the roads accessing trail heads? The answer given was that everybody that they have talked to has said it is legal to ride ATVs on the roads up there. A statement was made that the Town of Harpersfield does not have the infrastructure that they have up there for trail riding. It is all State land that they allow people to ride on. A statement was made that the largest landowners in the Town of Harpersfield do not want ATVs riding on their property. A statement was made that three times in the last two and a half weeks a Board member has seen groups of riders traveling on Harpersfield roads on a joy ride. The Town has not even passed a local law and these riders are already stepping over the boundaries. The local laws passed in Stamford and Kortright have only been in effect for about a month and we are already seeing issues. The club has a plan that they need the Towns to pass a local law so they can go around and talk to landowners and get trails started. Anybody that understands our Towns at all knows there is no possible way they will have any kind of normal trail system. They might have one landowner give permission to go from here to there. The Town is so broken up real estate wise. Do you think that a property owner with two acres that is needed for that trail is going to say yes? They might get permission from one property owner but not the other nineteen property owners. There will never be an established trail system in this Town ever. A statement was made that the club is using the Towns that pass local laws as a way to push landowners to establish a trail system. They need to think this though. It is never going to happen. Large property owners have already said that they will not give permission for a trail to be put on their properties. Smaller property owners are not going to giving permission for a trail to go through their properties. All this local law will do is give permission to ATV's to ride up and down our Town Roads. The discussion continued. A statement was made that signage

is important. Signage on snowmobiles trails is important to protect the clubs. The Town would have to put up multiple signs on every road and at every intersection if the Town were to adopt a local law designating all Town Highways for travel by ATV's. The discussion continued. A statement was made that a Board member would be more inclined to vote for an ATV local law once the established trail heads are made and opening up a road from trail head to trail head. For example if there was 1/4 mile on Gun House Hill Road between trail heads then open up that 1/4 mile on Gun House Hill Road. Not open up every Town Road. A question was asked has the Town of Roxbury passed a local law allowing ATV's to ride on Town Roads? The answer was that the Town of Roxbury has tabled the issue. A question was asked the 607Riders Club went to the Town of Jefferson's Board meeting did they pass a local law designating all Town Highways for travel by ATVs? The answer was no. Jefferson's Town Board felt that all of their Town Roads are all connected with County and State Roads. The ATVs would only be able to ride up and down Town Roads as they had no ability to ride up and down County and State roads. The Town Board decided to table the issue for one year. This way they can see how this local law works in the Towns of Stamford and Kortright though all four seasons, see if there are accident reports, see if there are reports on property damages and see any reports on any road damage. After a year a discussion should also be had with the Town Attorney. Another discussion should be had with County District Attorney as to how offenders have been dealt with as enforcement is a problem. The discussion continued.

Supervisor Driscoll informed the Board that the Tax Exemption for Senior's was next on the agenda. She reminded the Board that they had discussed the COLA. Laurie Bedford had informed the Board of how many people would qualify for this exemption. The Board can adopt the new County levels or make the amounts a little lower. Whatever the Board decides needs to sent to the Office of Real Property at the County. They will put that information into their software to confirm the numbers. It can also be written into the resolution that the Town Board will review the numbers on a yearly basis and decide if the amounts need to be increased. The discussion continued. Supervisor Driscoll asked when do the COLA numbers come out? Councilmember Funk answered usually in September or October. The discussion continued.

#### RESOLUTION NO. 09 OF THE YEAR 2023

At the regular meeting of the Town of Harpersfield held on June 14, 2023, Councilmember Matthew J. Taylor offered the following resolution and moved its adoption:

TITLE: TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER.

WHEREAS, the existing income ceiling of \$19,300.00 for the real property tax exemption for persons 65 and older in the Town of Harpersfield is no longer effective in protecting the most vulnerable of this Town's citizens.

BE IT RESOLVED, that the Resolution in the Town minutes, dated November 10, 2021, pages 117, 118 and 119, entitled: TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER, is hereby rescinded and the following be adopted for granting real property tax exemption for persons 65 and older in the Town of Harpersfield.

BE IT RESOLVED, that pursuant to the authority granted by Section 467 of the Real Property Tax Law, real property within the Town of Harpersfield owned by one or more persons, each of who is 65 years of age or over, or real property within the Town owned by husband and wife, one of who is 65 years of age or over, shall be exempt from Town tax levy according to the following schedule based on income of the owner or combined income of the owners of the property for the tax year immediately preceding the date of application:

- Income \$22,000.00 or less.....50% exemption.
- Income \$22,000.00 but less than \$22,999.00.....45% exemption.
- Income \$23,000.00 but less than \$23,999.00.....40% exemption.
- Income \$24,000.00 but less than \$24,999.00.....35% exemption.
- Income \$25,000.00 but less than \$25,999.00.....30% exemption.
- Income \$26,000.00 but less than \$26,799.00.....25% exemption.
- Income \$26,800.00 but less than \$27,700.00.....20% exemption.
- Income \$27,700.00 or more.....no exemption.

BE IT FURTHER RESOLVED, that all of the provisions of Section 467 of the Real Property Tax Law shall apply in the administration and interpretation of this resolution and such exemption shall not be granted unless the applicant qualified thereunder.

Seconded by Councilmember Patrick F. Funk with the vote as follows:

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|----------|----------------------------------|------|
| Adopted: | Lisa M. Driscoll, Supervisor     | Aye. |
|          | Matthew J. Taylor, Councilmember | Aye. |
|          | Patrick F. Funk, Councilmember   | Aye. |
|          | Erik R. Reeve, Councilmember     | Aye. |
|          | Dwayne C. Hill, Councilmember    | Aye. |

Supervisor Driscoll informed the Board that next on the agenda was the Assessor local law. This local law is for the Town to change from three elected Assessors to two appointed Assessors. This had been discussed at a previous meeting. The Board has been given a draft local law. A discussion was had. Laurie Bedford asked Supervisor Driscoll if the Town of Delhi appointed two Assessors or one Assessor and a Clerk. Supervisor Driscoll answered that the Town of Delhi

had appointed one Assessor and a Clerk. Ms. Bedford continued that the clerk would not have to complete the continuing education and certification requirements. An appointed Assessor is required to complete continuing education which is twelve credit hours per year. Supervisor Driscoll stated that she would want the Town's two Assessors to complete continuing education for twelve credit hours per year. Ms. Bedford added that an Elected Assessor is not required to complete continuing education for twelve credit hours per year. The discussion continued. Linda E. Goss asked that in Section 2., Termination of Current Assessors, it states "The terms of office for the present elected Assessors for the Town shall terminate on March 31, 2023 and from and after that date shall be two appointed Assessors for the Town" will that date need to be corrected? The answer was yes. Supervisor Driscoll continued that in Section 3., Appointment and Term of Office of Appointed Assessors states "the term of office for the initial appointed Assessors shall be the remaining current 6 year term through September 30, 2025". Ms. Bedford asked will the Town have to open up the choice of Assessors to be an equal opportunity appointment? The discussion continued. Supervisor Driscoll will check into the answer to Ms. Bedford's question. The discussion continued. Councilmember Funk asked Ms. Bedford if she thought that the continuing education was beneficial? Ms. Bedford answered that she finds it beneficial. She was just asking what is an Assessor's role in a PILOT program? She would have rather taken a class on how to do that. A class has not been available. Those are things every Assessor should have to keep up with. Things change. Supervisor Driscoll added that things change very quickly. The Board agreed. The discussion continued. Councilmember Funk asked Ms. Bedford that if she and the other Assessor are out assessing and they have a difference of opinion how does that work? Ms. Bedford answered that currently there are three Assessors. Councilmember Funk continued will there be a Senior Assessor and Junior Assessor? How will that be resolved? The discussion continued. Councilmember Funk asked with two appointed Assessors will their pay be the same? Supervisor Driscoll answered that currently the Chairperson is receiving a higher salary. That would remain the same. Councilmember Funk asked what will be the two titles of the appointed Assessor positions be? Shouldn't those positions be listed in the local law? The discussion continued. Supervisor Driscoll will contact Lindsey Dodd with the Board's questions and this issue will be brought up again at the next meeting of the Board.

Supervisor Driscoll informed the Board that next on the agenda is the Prior Written Notice Local Law, Notice of Highway Defects. This is a local law that the Town's insurance company (NYMIR) feels the Town should pass. This local law states "No civil actions shall be maintained against the Town or Town Superintendent of Highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk, or culvert being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge, street, sidewalk, crosswalk, or culvert was actually given to the Town Clerk or Town Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger, or obstruction complained of." Supervisor Driscoll gave an

example of if someone was driving, they hit a pothole and they ruin their tire. This individual comes to the Town and says that they have ruined their tire and that the Town is going to have to pay for it. If the Town has not been notified that there was a pothole and we did not have reasonable time to fix it with this local law the Town is not liable to fix the individual's tire. This local law also covers if there is the existence of snow or ice upon any highway, bridge, street, sidewalk, crosswalk or culvert. Supervisor Driscoll asked the Board read the complete local law to make sure that they are happy with it. The local law also states that "The Town Superintendent of Highways shall transmit in writing to the Town Clerk within five days after the receipt thereof all written notices received pursuant to this local law and Subdivision 2 of Section 65-a of the Town Law. The Town Clerk shall cause all written notices received pursuant to this local law and Subdivision 2 of Section 65-a of the Town Law, to be presented to the Town Board within five days of the receipt thereof or at the next succeeding Town Board meeting, whichever shall be sooner." Supervisor Driscoll informed the Board that the time frame portion of this local law can be changed. Supervisor Driscoll added that there is a log which goes along with this local law. Russell would need to log the phone calls about potholes, damages to the streets, etc. that need to be fixed. The log along with when the problem is going to be fixed would then be given to the Town Clerk who would then give it to the Town Board. Russell Hatch asked that for this to be a formal complaint it would need to be written not verbal? Supervisor Driscoll answered that from her understanding Russell would be getting a phone call, he is going to need to write it down, he then will need to give it to the Town Clerk. Linda E. Goss asked what if she gets the phone call? Supervisor Driscoll answered that then she will log in the problem and give it to Russell. What the insurance company needs is a log of when the telephone calls come in. That way we know exactly when the calls came in. This is so if someone ruins their tire and then calls in the problem with a pothole we would not have a reasonable amount of time to repair it and so we are not liable for it. Councilmember Reeve added that the complaint needs to be called in or in writing and then given to the Highway Superintendent or Town Clerk. This way an individual can't just walk up to Russell when he is out to dinner and say oh by the way my road has a pothole and then expect Russell to remember it. The complaint should be official. Everyone agreed. A discussion was had about whether written notice or a telephone call will be acceptable forms of notification of a problem. Supervisor Driscoll asked that the Town Clerk look up the local law on file and get copies out to the Town Board and Highway Superintendent so that it can be compared to this draft local law. The discussion continued. Supervisor Driscoll continued that she thinks it is important for Russell Hatch to keep a log of the telephone calls that come in with problems. Russell asked could the log be changed a little bit? Supervisor Driscoll answered yes the log can be changed. He understands that the insurance company needs the log. The discussion continued. Supervisor Driscoll informed the Board that she will bring this up again at the next Board meeting.

Supervisor Driscoll informed the Board that next on the agenda is the Headwaters Ambulance service update. A meeting was had with Headwaters Ambulance service. They agreed from

discussions that have occurred in the past that each Town would pay \$100,000.00 starting next year. The Robinson-Broadhurst Foundation is providing the money for the EMS to get up and running for this year. Headwaters Ambulance's physical year is from April 1<sup>st</sup> to March 31<sup>st</sup>. One of the issues with the agreement that was given to the Towns was there was no money in it. Supervisor Driscoll informed those involved that they needed to have a discussion to make sure that they get the money into the agreement. A meeting was had with Supervisor Driscoll, Councilmember Taylor, George Haynes, Supervisor for the Town of South Kortright, John Kosier, Supervisor for the Town of Stamford and Headwaters Ambulance. They discussed everything and decided that the amount for each Town would be \$100,000.00. Supervisor Driscoll has an agreement. Copies of the agreement were in the Board members packets. Headwaters Ambulance will be responsible for billing insurance. The insurance companies will send the money to the Towns because the Towns have the CONs. The Towns will then pass that money on to Headwaters Ambulance. That will be in addition to the \$100,000.00 that each Town will pay. Robinson-Broadhurst Foundation will supplement anything up to approximately \$350,000.00 for the next two years. A discussion was had on how long this agreement will be in place. This agreement will only be in place for one year. They will have another meeting and discussion next year. Councilmember Taylor added that Headwaters would like to be in service for a year to see how everything is going to go. Supervisor Driscoll has a concern with the agreement under 2. A) "... fiscal year 2024" which does not specify which fiscal year the Town's or Headwaters Ambulance's. This is through the whole agreement. Supervisor Driscoll would like them to change it to April 2024. She would like everyone to know when the payment will be due. This agreement will end in December 2024. Negotiations will begin in September for next year's budget. Councilmember Funk asked Supervisor Driscoll how will this affect our budget next year? Supervisor Driscoll answered that she is looking into it. There is some fund balance that could offset the \$100,000.00 amount. She will have more information for the Board in the coming months. The discussion continued. Councilmember Taylor added that the average response time since Headwaters Ambulance has started has dropped twenty minutes. The discussion continued. Supervisor Driscoll asked the Board to look the agreement over and let her know if they see anything else that might need to be changed.

Supervisor Driscoll informed the Board that next on the agenda is the Transfer Station. Supervisor Driscoll had put together pictures and a proposal of repairs that need to be taken care of. A packet of these materials was in each Board member's packet. Supervisor Driscoll has a meeting tomorrow with the Supervisors from the Towns of Kortright and Stamford. She has also invited the Village of Hobart and Village of Stamford Mayors to the meeting. This meeting is to go over the numerous repairs that need to be done at the Transfer Station. The bathroom has black mold in it. The staircase is terrible and needs to be ripped out, redone and brought up to code. The recycling table and chute need to be redone. The roof is leaking. She called the roofing company which showed up today. They need to get up on the roof to take a look at what needs to be done. Since the new roof was put on only three years ago they will need to let Supervisor Driscoll know if they will be repairing it or if the Transfer Station will

need to pay for the repairs. Where the boxes go all new concrete needs to be poured. There needs to be a new office. The parking lot needs to be paved. All of the safety bars have been taken down especially where the C & D boxes are need to be put back up. New signs are needed to remind people where things need to go to be recycled. The fifty five gallon minimum for C & D we need to get people to start paying attention to that. The Transfer Station only gets two boxes a week and once they get filled people will no longer be able to dump C & D. Supervisor Driscoll is also ordering new Transfer Station stickers as we are just about out of the old stickers. The building needs a fan to keep the dust down and help with the condensation. Supervisor Driscoll along with help from Councilmembers Taylor and Funk has looked into a container or construction trailer to use as an office and bathroom. The current bathroom can not be fixed. If we move the bathroom and office in the building it will be a lot of construction which will cost more than a container or construction trailer. The costs in the packet are just estimates. The areas she would like to start with are the container or construction trailer with an office and bathroom and the roof. The container or construction trailer will need to be hooked up to electricity. The container or construction trailer will need to be plumbed in so that the employees have running water so that they can wash their hands. All of the safety equipment will go into the container or construction trailer. It will need heat and air conditioning. The equipment for the cameras will also go in there. Everything in the current office will need to be put in to the new office in the container or construction trailer. Supervisor Driscoll continued that is what she is trying to get done this year. There is enough money in the budget to accomplish this. Next year she has added money to the budget to replace the concrete. The Town of Harpersfield Highway crew will help pour the concrete. Supervisor Driscoll has not only put in the cost of the concrete \$10,000.00 but an additional \$5,000.00 to pay our Highway employees for working at the Transfer Station in next years budget. The rest of the repairs Supervisor Driscoll is hoping to write grants to get them done. For recycling she will be writing a grant to the O'Connor Foundation. That application needs to be submitted by September 1<sup>st</sup>. She will also be writing a grant to the Robinson-Broadhurst Foundation and if need be to the State. Supervisor Driscoll added that she has ordered new Transfer Station stickers. She has only ordered two to look them over before placing the order. The new sticker will go on the driver's side window. They are orange in color. The license plate number will be on the sticker. Supervisor Driscoll has had a meeting with Tyson Robb, Solid Waste Coordinator and Andrew Tompkins, Solid Waste Center Manager, Delaware County Solid Waste Management Center & Recycling Center and James D. Thomas, Commissioner of Delaware County Department of Public Works at the Transfer Station. They suggested that when we change the Transfer Station stickers to reinforce the other things we want people to know. For example you can only dump a fifty five gallon drum of C & D and not an entire pickup truck load and/or a pickup truck and trailer load. Anything bigger or larger will need to be taken to the landfill in Walton. We are going to stop taking mattresses. They will need to be taken to Walton. Mattresses fill up the C & D box very quickly. One individual dropped off seven or eight mattresses the other day while Supervisor Driscoll was standing there. We are also going to reinforce that if a container is full we will not be able to take recyclables, C & D or



metal. Currently people just throw these items on the ground if the container is full. Then when we get an empty container it gets full with the mess that has been left on the ground. Once again we have a full container with no room for additional recyclables, C & D or metal. This is a big problem. According to Mr. Robb and Mr. Tompkins it will take about a month or two before people start to grasp this. They may be angry. We will just need to continue to work with the public reinforcing the rules to keep the Transfer Station clean and safe. Another suggestion that they made was to go and visit other Transfer Stations to see how they operate. Supervisor Driscoll will be going to the Davenport Transfer Station and a couple of others to see how they deal with C & D etc. Councilmember Funk asked when will the Transfer Station stop taking mattresses? Supervisor Driscoll answered probably by the end of the month. What she plans on doing is once we get the new stickers she will be going to the Transfer Station and as people are coming in she will ask to see their sticker. If they are from the Town of Harpersfield she will issue them a new sticker. If they are from the Towns of Kortright or Stamford, Villages of Hobart or Stamford they will be told that they need to go to their Town Clerk to get their new sticker. We will also be handing out the rules so that people are aware of how much they can dump, recycling, etc. Councilmember Hill asked are we limited to the number of boxes we get a week? Supervisor Driscoll answered yes, the County only has so many boxes. They do not have spare boxes. What happens is they come and drop off a box and pick up a full box. If the box is broken it stays down there to be fixed. While it is being fixed we do not get another box. If we over fill the boxes the County will not take them. Currently the County is working on making sure that we are filling the boxes up properly, nothing is sticking out of them and boxes are not going back empty. The Transfer Station has old boxes but they need to be repaired. There are only two C & D boxes for Harpersfield. The County may come and only take the box with garbage in it. Then the C & D box sits there for three days until they come back and pull the C & D box. The discussion continued. Councilmember Reeve asked does the Transfer Station get charged for metal? Supervisor Driscoll answered no the Transfer Station only gets charged for C & D and tires. The rest pays for itself. C & D is pretty expensive. Last year the Transfer Station paid \$25,000.00 for C & D. The discussion continued. Councilmember Reeve added that his concern is that people will begin to dump garbage in random places. Councilmember Hill agreed. Supervisor Driscoll added that is why she wants to go to other Transfer Stations to see how they are handling it. Councilmember Hill added that the Town of Davenport is the only Town that brings garbage to the Davenport Transfer Station. The Harpersfield Transfer Station has three Towns and two Villages bringing garbage in. We are going to get three times the garbage here that they do in Davenport. Councilmember Reeve added that the Harpersfield Transfer Station should be allotted more than other Towns. Councilmember Hill agreed. Supervisor Driscoll continued it is not how much we are allotted it is more of how many containers they have and how many trips they are taking. The County has one driver that transports the Town of Harpersfield and the Town of Davenport. They start their day at 6:30 AM and finish at 2:30 PM. The driver has to pick up a box here, cover it then drive to Walton and empty the box. Then go to Davenport and do the same thing. There are only so many containers that they can move in a day. They do not work on Sunday and

Monday. Councilmember Funk added that even if the Town had extra containers the County would not have drivers to haul them. Councilmember Hill agreed. Councilmember Funk continued that it is a tough situation. The discussion continued. Councilmember Taylor added that we are not enacting a new rule. This rule has been in effect for many years but just not enforced. The discussion continued. Supervisor Driscoll continued that in one Transfer Station the Transfer Station Attendant has built a wooden wall in front of the C & D box with a hole cut into it. If the C & D does not fit through the hole it can't be dumped. We have to do something. Something has to change. The discussion continued. A questions was asked how many stickers can a property owner get? The answer was two. The discussion continued. A discussion was had on how many cameras are at the Transfer Station. Supervisor Driscoll informed the Board that Sentry had been here and fixed the cameras at the Town Hall. They need to replace one camera over at the Highway Garage. When they went over to the Transfer Station to look at those cameras we found that we do not have internet to be able to look at what is on those cameras. We are going to get internet over at the Transfer Station. The monitor is also not working. The box seems to be recording but there is no way to tell with the monitor not working. Supervisor Driscoll informed the Board that there is a company called Paint Care that will be putting a storage container at the Transfer Station to collect latex paint. Paint Care will come and take it away and there will be no charge to the Transfer Station. Councilmember Funk asked how will the Transfer Station employees know what paint to take? Supervisor Driscoll answered that Paint Care will train the employees on what paint they can take and put into the shed. What Paint Care does with the paint is they mix it all together and they give it to needy individuals to paint whatever they need to paint.

Supervisor Driscoll informed the Board that next on the agenda is a voter identification process resolution. Supervisor Driscoll told the Board that she has received this resolution from the Town of Huntington. They are asking the Town to pass this resolution to send a message to Governor Hochul and the NYS Legislature to draft and enact legislation to allow for a voter's identification process to assist with maintaining voter's registration rolls. A discussion was had.

#### RESOLUTION NO. 010 OF THE YEAR 2023

Councilmember Patrick F. Funk offered the following resolution and moved its adoption:

**TITLE: A RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR KATHY HOCHUL TO DRAFT AND ENACT LEGISLATION REGARDING A VOTER'S IDENTIFICATION PROCESS.**

WHEREAS, this Country was formed on the principals of democracy and our forefathers fought for our right to elect our representation; and

WHEREAS, the majority of the States in the U.S. require a voter's identification to increase the public's confidence and ensure a fair election process; and

WHEREAS, the Board of Elections may not get notification of a voter registration in another location or of a death of a registered voter; and

WHEREAS, in an economy where the Board of Elections may not have sufficient funding or staffing to purge voters rolls of individuals who no longer live in each election district or County, as required; and

WHEREAS, in a day and age where the ability to work does not necessarily need to be where you live, this allows for more individuals to be transient in nature and the additions of voter's identification will assist in keeping all voters rolls current; and

WHEREAS, in the State of New York the requirement is to compare the signature on file, this doesn't necessarily help maintain current voter registration, as name and address changes are not necessarily communicated in the current process, also this would assist in the purging of the roles of individuals who are no longer active voters in that County; and

WHEREAS, the subject of the resolution is not an action as defined by 6 N.Y.C.R.R. § 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD HEREBY REQUESTS, the New York State Legislature and Governor Hochul to draft and enact legislation to allow for a voter's identification process to assist with maintaining voter's registration rolls; and

BE IT RESOLVED, that the Town Clerk is hereby directed to forward certified copies of this resolution to Governor Hochul, Andrea Stewart-Cousins, President Pro Tempore and Majority Leader, Carl E. Heastie, Speaker of the Assembly, the Huntington Delegation to the New York State Legislature, Assemblyman Steve Stern, Assemblyman Keith Brown and Senator Mario Mattera and Senator Peter Oberacker and Assemblyman Christopher Tague.

Seconded by Councilmember Matthew J. Taylor with the vote as follows:

Supervisor, Lisa M. Driscoll, Aye.

Councilmember, Matthew J. Taylor, Aye.

Councilmember, Patrick F. Funk, Aye.

Councilmember, Erik R. Reeve, Aye.

Councilmember, Dwayne C. Hill, Aye.

THE RESOLUTION WAS THEREUPON DECLARED ADOPTED.

Supervisor Driscoll informed the Board that the Code Enforcement Officers report was in their packets.

Councilmember Funk asked Russell Hatch if he had contacted the Village of Stamford's Public Works Superintendent about the curb in Stamford? Russell answered he has not contacted him

yet. Russell asked on which side of the Road is the problem? Councilmember Funk answered across the street from Sunoco. There is a sign in front of the Catskill Outpost that states "No Parking From Here To Corner". People do not pay attention to the sign. It is pretty bad. The discussion continued. Supervisor Driscoll added that there is nothing Russell can do about this as it is in the Village. Councilmember Funk continued that he has talked to the Village Mayor. He has suggested that they paint the curb red and stencil the road with No Parking that way people can see it. The Village Mayor's response was that they can't do anything because it is a State Road. The discussion continued. Councilmember Funk continued that the reason he has brought this up is the issue of liability. There is going to come a time that somebody is going to get t-boned there and it is going to be bad. The Town will be able to say that they told the State and the Village Mayor about the problem and they did not do anything. The discussion continued.

Councilmember Funk discussed with the Board Cold War Veteran Exemption. There already is a Veterans Exemption. This exemption is for a person who has served in a time of war and they have an Expeditionary Metal. There is an exemption for disabled Veterans. A Cold War Exemption is for anyone who was in the military during the Cold War. The time frame of the Cold War was from March 1947 to December 1991. Councilmember Funk continued that this exemption would be for anyone that was in the military during that time. The discussion continued.

Councilmember Taylor discussed with the Board the need for a Transfer Station Committee. There is a lot going on in the Town right now including the Transfer Station. The issues at the Transfer Station will be going on for some time. There is a lot of work to be done. The Town Supervisor has been handling it. A Transfer Station Committee would be there to help the Town Supervisor with the work load. The discussion continued. Councilmember Taylor continued that the Town of Harpersfield gets nothing out of this. We pay the same check that they pay. Supervisor Driscoll added that there is \$800.00 annually that the Supervisor gets paid for running the Transfer Station. Councilmember Taylor continued that he as Deputy Supervisor and Supervisor Driscoll have been working on this since February of this year. There have been many discussions had. Things will not be resolved today. We get zero help from the other Towns and Villages other than money to keep the Transfer Station running. The discussion continued. Russell Hatch added that he has talked to the other Highway Superintendents and their employees refuse to work over at the Transfer Station. So the Town of Harpersfield's Highway employees have been forced to work over at the Transfer Station. Councilmember Taylor continued that right now he and the Supervisor are overwhelmed with this transition. Russell Hatch continued that Supervisor Driscoll needs the help and he thinks a Transfer Station Committee is a good idea. The discussion continued. Supervisor Driscoll agreed that she could use the help of a Transfer Station Committee. The discussion continued. Supervisor Driscoll continued that if the Town of Harpersfield Highway employees are working at the Transfer Station Russell is billing the Transfer Station for that time. Russell answered that he bills that back to the Transfer Station if one of his employees are there for a day. He has

not been billing if they go over to the Transfer Station for something minor and they are only there for 15 to 20 minutes. Councilmember Funk added that if a Town of Harpersfield employee goes over there to do anything the Transfer Station should be billed for a two hour minimum. There are a lot of places that do that. The discussion continued. Russell continued that the Transfer Station uses a load of salt each winter. That salt is paid for from the Highway budget. Supervisor Driscoll informed Russell he needs to bill the Transfer Station for a load of salt. Councilmember Hill asked what do the other Towns and Villages pay? Supervisor Driscoll answered that is determined once the budget is completed. The Supervisor then takes the number of people from the latest census in each Town and Village and divides the budget up by the number of people in each municipality. That is how the budget is divided among the three Towns and two Villages. The Town of Harpersfield's cost is the same as the other Towns and Villages costs. Councilmember Funk continued that the Town of Harpersfield should be charging the other two Towns and two Villages for anything that the Transfer Station uses or gets from the Town of Harpersfield. The discussion continued. A motion to enact a Transfer Station Committee with the members on the committee to be Matthew J. Taylor and Dwayne C. Hill was made by Patrick F. Funk seconded by Erik R. Reeve. All voting Aye.

Councilmember Hill asked about Delaware County passing a law about letting immigrants or migrants coming in to the County. Is the County Board still on top of that? Supervisor Driscoll answered that we are in a state of emergency. Councilmember Hill continued that someone has said that they are going to try to force these immigrants or migrants into other Counties. Supervisor Driscoll continued that New York City is trying to sue the Counties. Because we are in a state of emergency they can't be put into our County facilities. The State can put them into State facilities. She has not heard of anyone coming up at this point. The Allen Residential Center located in South Kortright and Camp Summit in Summit are State facilities. The discussion continued. Supervisor Driscoll added that they did not have a County Board meeting today. The next County Board meeting is in two weeks. At the last meeting Tina Mole, Chairperson of the County Board of Supervisors has called a state of emergency but that does not keep them from placing them in State facilities. Supervisor Driscoll continued that there is also a concern about EMS. If they are put into the Allen Residential Center and they need medical attention our EMS is going to take those calls. They have no insurance. They have nothing. That was a part of the discussion had at the last County Board meeting. People are concerned.

Russell Hatch reported to the Board on the CHIPs program. Region 9 which is the region we are in is going through some changes. In the past if you used CHIPs funds and paved a road that road had to last ten years. You could not use CHIPs funds on that road for ten years. You could seal coat a road. So what was being done was after five years the Towns would seal coat a paved road using CHIPs funds and that would make the roads last. There were a lot of roads that did not need to be paved and they would just seal coat the roads every five years. There are new people in the CHIPs program and they are enforcing the ten year limit on everything. They are not letting the Towns pave a road and then seal coat it in five years or seal coat a road

every five years. So now they expect whatever money we put into that road to last for ten years and not be touched again with CHIPs funds. A lot of Towns have set up their roads on a five year program. Russell has been going through all of the Town roads every five years. Now they are saying that he can't. His oldest road right now was last done in 2018. They are saying he can't do any sealing or paving on that road until 2028 with CHIPs funds. The paving plan that Russell has had for this year he is not going to do. Supervisor Driscoll informed the Board that the Town has written a grant to the Robinson Broadhurst Foundation for \$200,000.00 to purchase a new truck. The Robinson Broadhurst Foundation has given the Town \$75,000.00 toward the purchase of a new truck which will cost approximately \$280,000.00.

Councilmember Funk asked was there any reason given by the Robinson Broadhurst Foundation for the lesser amount received? Supervisor Driscoll answered because of the market and the amount of funding that has been given to the EMS. A discussion was had. Supervisor Driscoll continued that grant funds are not guaranteed. No grant funds are guaranteed until a letter of approval is received. Russell informed the Board that he can use CHIPs funds for equipment. He does not want to lose the deal for the new truck. He is not planning on doing any roads this year and would like to take whatever money we need to purchase the truck with CHIPs funds. Supervisor Driscoll added that the Robinson Broadhurst Foundation also has said that the Town could write a grant for the new truck for next year. She asked if the Town could ask for a grant for the new truck being that the Town would take delivery of the new truck in February. With the grant funds being received after that would that be a problem? They said that they did not have a problem with that. The discussion continued. Councilmember Funk asked if we use the CHIPs funds this year to purchase the truck and get more funding from the Robinson Broadhurst Foundation next year to help with the purchase of the new truck will those funds go back into paving the roads that you were going to do? Russell answered that they are getting as many Highway Superintendents in the area as they can and they are going to our Legislators to try to get this changed. The people in charge of CHIPs are only enforcing Region 9 with this ten year regulation not the other Regions. Russell does not know how they can do this. It is how the people in charge interpret the regulations. Russell has been considering asking Robinson Broadhurst for grant money to pave the roads and use the CHIPs money to purchase equipment. The discussion continued. A question was asked is the ten year regulations also for the Extreme Winter funds etc.? Russell answered yes. Russell continued that he just wanted to make the Board aware of what is going on. The discussion continued. Councilmember Reeve asked Russell if they put you on this ten year plan are they going to allot you more money to repair the roads? Russell answered no. Councilmember Reeve continued that there is going to be more wear and tear on the roads which will require more road prep, more materials and more work. Councilmember Hill added that the roads are not going to stand up in this area for ten years. Russell continued that when you figure it out what they are going to force the Towns to do is put a three inch pave on the roads to try and get them to last. Currently they are doing a single surface or one and a half inch pave and making our roads last. Councilmember Reeve added that our Town roads are

nicer than the State roads. The discussion continued. Councilmember Hill added that there will be more wear and tear on the equipment as well. The discussion continued.

Russell informed the Board that the Water Quality Improvement Grant that we applied for last year is going to be applied for again this year. These grant funds were for the Reed Road and Gun House Hill Road projects. Councilmember Funk asked do we know why they did not select us for funding the last time? Supervisor Driscoll answered that Delaware County Soil and Water did not do the work they needed to do to submit it. Russell added that another problem was last year the maximum for the grant was \$500,000.00. The cost of this project was approximately \$650,000.00. The State has raised the maximum amount for the grant to \$1,000,000.00. So with each project eligible for up to \$1,000,000.00 we stand a better chance of getting the project fully funded. Delaware County Soil and Water can make their paperwork look better and actually do the leg work that they need to do for the grant application. Supervisor Driscoll added that the Town will have to put up 25% of the cost. We can use our employees and equipment as in kind service toward the 25% of the cost. Councilmember Funk stated that is good news. Russell continued that the person he was working with from Delaware County Soil and Water knew what they did wrong on the last grant application. This way they can do a better job on this grant application. The discussion continued.

A motion to accept the Tax Collector's April report with the Town receiving penalties, bank interest, bad check charge and overpayment in the total amount of \$4,498.67 and the County Treasurer's Office receiving taxes collected in the amount of \$147,496.35 and bank interest in the amount of \$120.72 was made by Dwayne C. Hill seconded by Patrick F. Funk. All voting Aye.

A motion to accept the Tax Collector's May report with the Town receiving bank interest in the amount of \$65.98 and the Delaware County Treasurer's Office receiving bank interest in the amount of \$65.97 was made by Dwayne C. Hill seconded by Patrick F. Funk. All voting Aye.

A motion to accept the Town Clerk's May report in the amount of \$647.98 was made by Patrick F. Funk seconded by Dwayne C. Hill. All voting Aye.

The abstract and vouchers for the month of May were presented to the Board. Presented were General Claims #104 to #128 in the amount of \$8,459.66, Highway Claims #078 to #094 in the amount of \$21,542.08 and Transfer Station Claims #026 to #032 in the amount of \$2,776.75. A motion to pay the vouchers as presented was made by Matthew J. Taylor seconded by Patrick F. Funk. All voting Aye.

The Supervisor's report for the month of April was issued to the Board. Supervisor Driscoll explained to the Board that General A is the full Town, everyone being taxed in Harpersfield and General B are the items that are taxed outside of the Village.

Supervisor Driscoll informed the Board that next on the agenda was an executive session for a personnel issue. A motion at 9:48 PM to go into executive for a personnel issue was made by Patrick F. Funk seconded by Dwayne C. Hill. All voting Aye.

A motion at 10:26 PM to come out of executive session was made by Patrick F. Funk seconded by Matthew J. Taylor. All voting Aye. No action was taken in executive session.

A motion at 10:27 PM to adjourn was made by Matthew J. Taylor seconded by Patrick F. Funk. All voting Aye.

The next regular meeting of the Board will be held on Wednesday, July 12, 2023 at 7:00 PM.