

TOWN OF HIGHLAND
REGULAR TOWN BOARD MEETING
August 13, 2024
ELDRED TOWN HALL

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

Also present, Attorney to Town Steven Mogel
 Town Clerk Susan Hoffman

Supervisor calls meeting to order-7:01 pm
Flag Salute
Moment of Silence for Krissy Walsh
Roll Call – all present

CORRESPONDENCE

Received and read report from Yulan Fire Department
Received and read report from Highland Fire Department
Received and read report from Highland Ambulance Service
Received and read a letter from Il Costello Ristorante

The conversation revolved around various community concerns in the town, including energy efficiency, rodent infestation, and water quality. Historical perspectives on the treatment of Native Americans were also discussed. The Clean Energy Communities Program was mentioned to promote sustainability, and a catch-all clinic, pharmacy, and diagnostics center were proposed to address medical needs. Water management and infrastructure were also discussed, including the need to revise the code enforcement application process and fee structure. The meeting ended with a tabled discussion on the Delaware Hudson Canal Towpath Project.

Clean energy grants for Hudson Valley communities.

- Council discusses Clean Energy Communities Program grants for sustainability projects in Hudson Valley.

- Council discusses energy efficiency actions taken by the town, including completing a unified solar permit and submitting documentation to the New York State Research Development Authority.
- The town can use a \$10,000 grant to fund energy efficiency projects, such as conducting an audit on one of their in-school buildings or installing heat pumps.

Town hall grant, energy efficiency, and meeting decorum.

- Supervisor mentioned that their committee contacted Elizabeth Pecks office for certifications, and they haven't filled out any grant paperwork yet.
- Supervisor shared information about a non-cooperative extension organization that offers free energy assessments.
- The supervisor establishes rules of decorum, outlines new approach for town governance.
- Board member urges civility and positivity in town governance.

Town projects, including road repairs and river access improvements.

- Supervisor urges collaboration to address community challenges, secures \$50,000 grant for Senior Center renovation.
- Highway Superintendent mentions securing \$200,000 from Chips for road projects and hopes to secure another \$85,000 once the projects are completed.
- Supervisor discusses a requested road closure and potential solution of signage to address property owner's concerns.
- Supervisor commends Highland highway department for leading river access project, which is over halfway complete.
- Project includes improving river accesses, installing canoe racks and bike racks, and removing eagle blind booth.

Local issues, events, and planning in Highland, NY.

- Supervisor announced the Labor Day event at Sand Beach in Highland Lake, featuring Shane Pearson's food truck and \$1,000 sponsorship from Jeff Bank.
- Insurance Committee reviewed rates and turned in two cyber-attack claims, with one claim already submitted.

- The Comprehensive Plan Committee is assembling a survey to inform the comprehensive plan, with a focus on addressing the medical needs of the community.

Exterminator contract for town buildings.

- The town hall clerk's office roof was repaired after leaking during a heavy rainstorm, costing \$685.
- The town highway department helped with various repairs, including fixing the ladies' room toilet and replacing valves in the men's room, also picked up garbage outside a residence on Airport Road.
- The group discusses a motion to approve an exterminator contract for monthly services, with some members expressing concerns about the contract's terms.

Streamlining planning board process with new application structure.

- Planning board aims to streamline application process with revised fee structure.
- Planning Board discusses changes to application process and fee structure.
- Planning Board Chairman explains revised application process for planning board, including gathering information and documentation before review.
- Planning board members discuss determination of escrow and scope of project based on code requirements.

Fee structure for planning board applications.

- Jeff provided clarification on the escrow amounts for small and large projects, suggesting that the code enforcement agency will determine the scope based on a site visit or review of project documents.
- The board tabled the discussion to gather further information and establish common guidelines for determining small and large projects.

Zoning projects, code enforcement, and personnel hiring.

Small scope projects vs large scope projects, need clarity

- Determining fair pricing for projects based on square footage
- Engineers must override septic issues.

The town council discussed various budget and code enforcement issues. Speaker 1 argued for

Parking signs, budget transfers, and payment of abstracts.

- Town board discusses parking restrictions on River Road.
- Suggests posting "no parking" signs on River Road to address safety concerns, following the recommendation of the Sullivan County DPW Commissioner.
- Residents and businesses on the road are concerned about people parking in areas that are unsafe or illegal, and the county will provide signage for free.
- Supervisor discusses budgetary transfers for ARPA funds to rectify unbalanced budget.
- Motions made to pay various amounts for highway abstracts, streetlights, and other expenses.

Parking and engineering for a local project.

Clarifies escrow usage for Keystone compliance, with excess funds returned to applicant.

- Keystone adopted as official town engineers, no back-and-forth bidding.

Town supervisor's questionable actions and violations.

- Al Fusco closed 25 code violations against the Oasis without permits or planning board appearances.
- Residents expressed concern about the administration's handling of legal proceedings related to the 211 projects.

Motion by Councilman Migliorino to go into Executive Session for purposes of ongoing litigation and employment history, seconded by Councilperson Burrell, motion carried @ 8:06 PM. Motion by Councilman Akt to come out of Executive Session, seconded by Councilwoman Haas, motion carried @ 8:40 PM

Resolutions and Abstracts

Motion by Councilman Migliorino to approve Parking Ticket Fees (\$50.00) at the Green Space, seconded by Councilperson Burrell, discussion, Councilwoman Haas no, Councilman Akt no, motion carried.

Motion by Councilperson Burrell to approve hiring Ehrlich as exterminator for all town buildings, seconded by Councilman Migliorino, discussion, motion carried

Motion by Councilperson Burrell to approve hiring Mary Jones-Mellett as Code/Building Clerk for the Code Office, seconded by Councilman Migliorino, discussion, motion carried.

Motion by Councilwoman Haas to approve a 30-day waiver for advance notice to Il Costello Pizzeria & Ristorante, seconded by Councilman Akt, discussion, motion carried.

Motion by Councilperson Burrell to approve a budgetary transfer to the 2024 General Budget in the amount of \$64,918.46, seconded by Councilman Migliorino, discussion, Councilwoman Haas and Councilman Akt voted no, motion carried.

Motion by Councilman Migliorino to pay Highway Abstract #7-2024, claims #83 to #95 in the amount of \$289,784.04, seconded by Councilman Akt, Councilwoman Haas voted no, discussion, motion carried

Motion by Councilperson Burrell to pay General Abstract #7-2024, claims #188 to #213 in the amount of \$28,500.05, seconded by Councilman Migliorino, Councilwoman Haas no, Councilman Akt no, discussion, motion carried.

Motion by Councilman Akt to pay Eldred Street Lights #7-2024, claim #7 in the amount of \$140.84, seconded by Councilwoman Haas, discussion, motion carried.

PUBLIC COMMENT

Jeff Spitz: So, the escrow is specifically to pay for Keystone for the engineer and it's the initial escrow. So what I plan to do is I'll speak with Ken Ellsworth and have him come up with what he feels a project is, whether it's square foot or the scope of it, and what would cover his initial fees. As a reminder, if the escrow is not all used once the project is completed, it goes back to the applicant. And of course, if they need more, then we go back to the applicant and say that your escrow is open, we need X amount more based upon the fee structure. Mailings are paid by the applicant.

Mell Carney: Carney, I have a recap of this administration today from another vantage. First order of business, code enforcement officer who dared to site the supervisor and his husband for the violations that exist on their business. Next, humiliated town employee in the code enforcement position at a town board meeting without first speaking to her, convene an emergency board meeting to remove the planning board chair, disregard unanimous board vote and signed a two-year contract with Fusco Engineering, threaten our local volunteer firefighters. Use the previous administration of communal felony and forget to offer an apology when proven to be wrong. Protect and defend a town employee whose errors make it nearly impossible to figure out our finances and by changing the budget line, did do something highly illegal. Some planning board volunteers to discuss three complaints from the public. One is the supervisor's husband, one is the supervisor's friend, and one was the applicant continues to maintain to his great embarrassment that the previous town clerk shredded his Stickett Inn documents. Attempts the Town of Highlands version of eminent domain on private property behind the library, weaponize the code enforcement office to harass local taxpayers based on anonymous complaints, while ignoring 300 violations that have been on file for two years. Remove inspection reports that cancelled checks confirmed were made. Refused to support a town employee when accusations were made about her that are unbelievable to anyone who knows her. Create a toxic work environment which caused three town employees to resign. Allow for the creation of a personnel file on a volunteer because you just can't get them under your control. Allow the planning board chair to request that information the public requests must first be cleared by him. Hire personnel, post job openings, make payment promises and apply for grants without a board vote. Require foil requests to go through the town attorney and the town supervisor, it's hard to imagine that there are two things I would say that are more egregious than these. Firstly, this supervisor currently has unpaid sales taxes from his business of \$60,000 he is now going to play that same financial shell game with taxpayer's money. He has bonded equipment for the highway department that the previous administration had cash funding reserved for. The bond

application required four board votes, which it did not have, and now the Town of Highland miracle, all the supervisor's code violations have been closed between July 3 and August 7. The 25 violations Fusco Engineering cited against the Oasis in 2022 have all been closed. No permits were issued, no planning board appearances were made. Fusco never stepped away from the violations they issued prior to this, but somehow Al Fusco toured the property himself, and all the violations have been closed. Mr. Mogel, you said nothing when the supervisor said he wasn't legally required to read certain correspondence. You agreed with him that we had a month-to-month Fusco contract when we didn't. You said nothing when I commented that the bond application didn't have the required votes. You said nothing when the previous administration was accused of improper handling of finances. And apparently you are suggesting that this administration change their modus operandi to avoid justifiable litigations. Message received. The good people of the town of Highland are on their own. Thank you for your comment. Any further public comment?

Caroline Akt: All this talk of procedure, planning board project submission of site plans and escrow you have never submitted a site plan or a planning board application for your business the Oasis. That's a couple of years now, and you still operate the business without. Thank you for your comment.

Person Unknown:

Reading the paper about the 211Mail Rd. project, I think it's incumbent upon the town to start to prepare for the legal proceedings that are going to take place. And I think you must prepare ahead of time, because I think this is going to be quite significant. We have a lot of good lawyers, a lot of big-time lawyers in this town. We need to access those people.

Thank you for your comment.

Motion by Councilman Migliorino to adjourn the meeting @ 8:58 PM, seconded by Councilperson Burrell, motion carried.

Respectfully submitted
Susan Hoffman, Town Clerk
August 13, 2024