

TOWN OF HIGHLAND
REGULAR TOWN BOARD MEETING
DECEMBER 13, 2022
ELDRED TOWN HALL

PRESENT SUPERVISOR JEFF HAAS
 COUNCILMAN FRED BOSCH
 COUCILWOMAN KAITLIN HAAS

Also present, Attorney to Town Michael Davidoff
 Town Clerk Susan Hoffman

Supervisor calls meeting to order

Flag Salute

Moment of Silence for Thomas Hickey, Joan Raftery, Raymond Meyers and Vincent Donnelly.

Roll Call

MOTION BY Councilman Bosch to approve the November 2022 Town Clerk Minutes seconded by Councilwoman Haas, discussion motion carried all ayes.

MOTION BY Councilwoman Haas to approve the November 2022 Financial seconded by Councilman Bosch, discussion motion carried all ayes.

CORRESPONDENCE

Received and read Highland Ambulance Service monthly report.

Received and read Season Greetings cards sent to the Town.

HIGHWAY

Highway Deputy Superintendent the Highway Department as everyone knows has been out dutifully taking care of the roads with another storm on its way. He's reported no major malfunctions or problems, which is new music to my ears anyway. And then hopefully they'll be able to carry on as they had to do the job that they're accustomed to doing, which has been exceptional. Supervisors report I'd just like to wish everyone a happy holiday season and a safe holiday season. With the notice that the board has been working very, very diligently here at the end of the year. To get some of these laws and resolutions in front of the in front of the board by the end of the year. So, we can go into the new year with a clean slate from 2022. And we've got a lot on the agenda for later in the later in the program. As you'll notice some very busy December month from what normally is late December month. So, if you could just bear with us when we get through our resolutions. I'd appreciate that. And thank you for all coming out tonight, Virginia. At this time, I'll entertain some public comment on the agenda if there are any items related to the agenda.

SUPERVISOR REPORT

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PUBLIC COMMENT

Doreen Hanson

I see there are two resolutions on the agenda, one to enter into an agreement for the use of the emergency billing and the other one to sign an agreement with the Sullivan County Sheriff's Office. I know the constables have been suspended as there has been resolution to disband them. But yet, do we need a local law to disband them? Town Attorney speaks: Research was done there was never a local law established and they've been ongoing in various capacities for a long, long time over 150 years. Right. And there was never a local law. We don't need a resolution yet because we have not yet passed this resolution and the county has not yet passed it. As soon as they do the agreement is in full force and in effect then there'll be resolution to disband. Doreen Hanson: I would like it to be on record and you all know my feelings because I've written to all of you that I believe we need our constables, and I believe this should be a public hearing on this being that they've been here over 115 years. I think the public should have some input on it. I just wanted to set it up. But it looks like it's done because the constable cars will be moved out. The public should have had some say in this matter.

PLANNING AND SENIORS

Councilman Bosch reports lot of seniors going to their meetings. They recently had a very successful dinner and everything is going smoothly.

YOUTH AND PARK DEVELOPMENT

Councilwoman Haas reports nothing new. We did discuss the workshop that Koinonia is going to be piloting and aftercare program. Their initial pilot program will not include any financial support from the town but if they move forward to a full-fledged program, they may reach out with a perspective of what their plan would look like and how the town could partner with them like we did for the summer program. The Youth Program went extremely well, the kids all had a blast and they only had to utilize the school one time. All enjoyed! Supervisor Haas thanked Councilwoman Haas and her committee, Councilman Tambini and Dr. Ruin for a great program.

CODE

Councilman Bosch reports We sent a rough draft of the code for the marijuana sales, up to Laberge, we've had conference calls, back and forth correspondence. The last draft that we got, we thought was acceptable. And we have forwarded that to the planning board for their approval prior to our adoption.

Supervisor Haas those public hearings are scheduled later. We need to reach out to Laberge and what is the best way for sales, it is very vague. Councilmen Bosch and Tambini will set up a meeting with Nicole Allen from Laberge and count on her expertise in this area. We would like to have this done by end of the year. Town Clerk will set up a meeting with Laberge and the committee.

EMERGENCY MANAGEMENT

Councilwoman Haas reports we had a significant emergency response necessary last night, including the number of mutual aid departments. So just to be mindful, you know, we are fully volunteer County. So, all of the response, fighting the fire, the tragic fire, there was no loss of life but there was tremendous loss of property to a member of the old fire department. Went well into this morning, and then everyone had to get up and report to their regular life. So, we send our best wishes we're going to support that family and whatever is needed to get back up on their feet. And we're very thankful that there was no loss of life or injury. So just remember, just check your smoke detectors, your co detectors be safe when you're operating any sort of power generation space heaters. I know it's a tough time in the economy. So, people are maybe taking some shortcuts with how they're heating their houses and their living arrangements. So just be mindful. And with the upcoming storm. Obviously, our highway department does a tremendous job, but please stay off the roads unless necessary if they are unsafe to give them time and space to work safely. And if we do suffer any sort of power outage or disruption will mobilize as necessary.

GRANTS

Supervisor Haas I just have one item to report that the town clerk and I are in finalization of the FEMA grants from the PPE for the COVID-19 response that was the town had with protective equipment, and we're just finalizing those with Laberge. And we're in the closing processes to get those administered and paid for. But it's been going on for roughly three years and we're coming to the end finally Doreen actually started that with me back in 2020.

INSURANCE

Supervisor Haas insurances have all been paid. They came in came in at budget, which is a wonderful thing for us when they do come in on the budget line. So that's a good thing.

BUILDINGS

Councilman Bosch reports we have minor problems occurring from time to time, and they get corrected as they go along. The most notable one was in the code enforcement office. There are two different carpets and near the junction of the two carpets tripping occurred, and it became a tripping hazard and we solved it by buying a three by five-foot rug and covered that area and should be great for a long time. Yeah, I believe the code enforcement officer as well as Councilman Tambini have had discussions about possibly re carpeting that you know, after the winter, yes. And they both have a lot of moving experience so they have no problem moving the equipment out of that office. Carpet installed and then reinstall. Okay, very good.

BEAUTIFICATION

Councilwoman Haas we received the most recent disbursement which will be for the signage for the silver feather Renaissance Project. And we provided our quarterly reporting to Renaissance. Everything was in order. And we did receive preliminary approval from DOT for the permitting for the key project, which has been in process for probably six months now. So once all of the regional leads sign off on it will have the fully executed permit. So, we did have in the bills to pay engineering for the site plan that was completed from the project.

PERSONELL

Councilwoman Haas we closed the application period for interested parties for the weekends on board seat. So, what we can interviews sometime in the new year.

CONSTABLE

Nothing to report.

Website

Nothing to report.

Energy & Environment

Councilman Bosch has nothing to report.

911-Hero's Park

They had a wonderful Veterans Day ceremony. Alright, Doreen Hanson, we (Karol Sundholm) got Christmas decorations up. We are going to do the boxes in the front. When we were Spring cleaning we discussed about moving everything from across the street over here. The nice lampposts we were going to put them on either side of that door over there. And we never we never did it. So, I just want to make sure you guys think about it next year. That remains to be seen, I believe one of them was damaged during the removal so we have to see whether we can get parts for it.

OLD BUSINESS

We did not vote to outlaw the sale of cannabis that we are going to be selling cannabis in the town. And we have drafted a local law and then it would be possible to sell it in the Hamlet's but not outside the Hamlet's and we have several types of public property in The Hamlet areas where there are churches and school. We have a library wherever you park and we set a distance from those facilities and we set a distance from a private residences. And we have a map for each Hamlet, which has been sent to the

planning board for their review, along with the report. We hope to have that report back prior to our next meeting, which should be right after the first of the year. But we're going to be good we have a public hearing at that time. And we'll make those copies available of the new cannabis law with the maps on there. So we'll try to make sure that those maps get the proper coloring. So we can see what the setbacks are so people don't get confused when they're trying to review the maps as far as the code goes. I just want to add one thing. There's some confusion. This local law has nothing at all to do with establishing the right not the right to have these types of businesses that's already been established. What this local law does is provide guidance for those establishments as to where they can be located and what they should consist of. And that's something that every business has to comply with, in order for the Town of Highland to have in their zoning code, what the requirements are you have we have to amend the code to include the requirements for these establishments. So that nothing to do with whether you can have one that's already been established. But what this does is put in the code, the requirements that have to be matched by anyone who obtains the license from the state, and the state is starting to issue the licenses. And that's why it's important that we get this done so that there's some parameters in the code to make sure that it's consistent with the town.

RESOLUTIONS

Motion By Councilman Bosch to approve the Town of Highland Ambulance Services, Inc. entering into an agreement for use (lease) of a portion of the Emergency Services Building, 4 Proctor Rd, Eldred, NY 12732, seconded by Councilwoman Haas, discussion carried all ayes.

Motion By Councilwoman Haas to approve the Town of Highland entering into an amended agreement with Paychex, to add additional services under Paychex Flex Time which will report employee hours, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilman Bosch to approve the Town of Highland entering into an agreement with the Humane Society of Port Jervis/Deer Park, seconded by Councilwoman Haas, discussion carried all ayes.

Motion By Councilman Bosch to approve the Town of Highland entering into a Merchant Processing Application and Agreement with MuniPay for purposes of paying real estate taxes on-line, seconded by Councilwoman Haas, discussion carried all ayes.

Motion By Supervisor Haas to approve Dave Preston to the Sullivan County Fire Advisory Board, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilwoman Haas to approve the Town of Highland Justice Court Audit on December 22, 2022 by Supervisor Haas and Councilman Bosch, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilman Bosch to approve the Sullivan County Solid Waste License User Permit for 2023, seconded by Councilwoman Haas, discussion carried all ayes.

Motion By Councilwoman Haas to approve the Re-Organizational Meeting for 2023 on January 3, 2023, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilman Bosch to approve a Public Hearing on Cannabis Zoning at the Re-Organizational Meeting on January 3, 2023, seconded by Councilwoman Haas, discussion carried all ayes.

Motion By Councilwoman Haas to approve the budgetary transfer to be made to the 2022 General Budget in the amount of \$7,096.18, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilwoman Haas to approve the budgetary transfer to be made to the 2022 Highway Budget in the amount of \$25,901.83, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilwoman Haas to pay Highway Abstract #11-2022 claims #135 to #145 in the amount of \$46,324.38, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilwoman Haas to pay General Abstract #11-2022 claims #347 to #384 in the amount of \$29,651.74, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilwoman Haas to pay Eldred Street Lights #11-2022, claim #12 in the amount of \$125.21, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilwoman Haas to pay Partners Koinonia for the Youth Program June 27, 2022 through August 5, 2022 in the amount of \$9690.00 and 37 campers in the amount of \$3,330.00 for a total of \$12,020.00, seconded by Councilman Bosch, discussion carried all ayes.

Motion By Councilwoman Haas to approve payment of \$2000.00 to Joe Gottlieb from the Silver Feather Grant for the Kate Project/Plans, seconded by Councilman Bosch, discussion carried all ayes.

Presentation of Appreciation for James Gutekunst on his retirement.

PUBLIC COMMENT

Laurie Stewart – I was wondering how having a dedicated deputy Friday at four o'clock through Sunday during the six weeks, how does that affect the normal kind of route that the Town of Highland would have been on, given the sheriff's duty or responsibility to have coverage? (Michael Davidoff) No change. So, there may be times when there are two deputies? (Councilwoman Haas) state police SROs for the school doesn't mean that the sheriff's are not circulating throughout the town to provide law enforcement support. They have an MOU with the school which is for the school provision of services. (Michael Davidoff) This deputy is not the regular deputies that will be working during that period in the other part of the county. This deputy who will be solely responsible and dedicated to being in the town except for those emergency situations, which are no different than constables at times helped outside the town also, so it was exactly the same.

Laurie Stewart says yes, it's a great thing. I think you're the first town that's actually entered into this group. (Supervisor Haas) I've talked to two other supervisors today as a matter of fact about this agreement. It may be something to look forward for other towns that may be looking into doing the same thing. Dedicated patrol.

Bernie Kozykowski says we had the tree lighting ceremony here at a few days ago. We had gone down to Barryville as well, which are commendable exercises. There important to establish and share with the community. I'm in awe of what's out here right now. The gentlemen that have done a marvelous job, but at the same time, we were here taking any event and I was shaken. I was shaken by the danger that was there. There was no traffic control across the intersection with the public and children crossing back and forth across the streets. I'm looking at it and I honestly could not understand knowing that this is a responsible community. We all care for each other. How this thing happened to slip through the cracks, I hope doesn't happen again. Because frankly, with those kids crossing the road unsupervised by adequate traffic control, there could have been a tragedy and I know we are going through some trauma right now with our constabulary. It's difficult, but nonetheless, its distressing because I took it upon myself to contact through the 911 center to be patched into the New York State Police and to the Sheriff's Department. What I learned is that either the state police or the sheriff's department had cars available to respond immediately. In the meantime, there were children and people in costumes crossing back and forth on Route 55. It doesn't take much imagination. To anticipate a potential tragedy in a situation like that. I'm not pointing fingers at anybody except something was missed here. I

would suggest to the town's benefit and to the benefit of the children that are out there so they're not injured that we'd be cognizant of what's going on. I don't know how this got as far as it did. Without communication with the authorities here in the town. I was flabbergasted. I couldn't believe it. We had traffic control in Barryville. There was nothing here, it made absolutely no sense.

Councilwoman Haas states that the individuals in Barryville requested support for that event. (Bernie) so you ignore them? No, we were never contacted by this private business owner about their events because we would have offered the same support and organized the same support as we did Barryville. Regardless of the situation where they did not necessarily follow the proper protocol and in requesting to close the street. We did support this board supported entirely those events when we were appropriately notified of them, even though it wasn't an appropriate time frame we still make the accommodations to support them. So, absent someone asking us to help them it's a private business. It's their private event that the responsibility is there to provide a safety. (Bernie) where are the eyes and ears of the town? We knew about it and we live down in Barryville. This is how we were aware of what's going on. Does that mean the town only functions when someone strikes somebody with a hammer? No. I mean, you had a situation here where you have to have a strong sense of awareness that was not there. You know, I know this is distressing to hear. But it's also a potentially dangerous situation. You don't want to repeat again. I mean, can you imagine what would have happened if someone lost control of a vehicle and hit a child, that said everybody would be running around with their hands up there? Oh my god, we should have done that. We should have done this. We should have been more aware. You were aware that something was going on? With actions awareness is your fiduciary responsibility to people in this town, you should have looked further, and you didn't. And that's important. You had a sense of what was going on there. So, what happened down in Barryville and the numbers of people that were down there were more people up here but all I'm saying is to the benefit of the children and the families in this town to ourselves and to the residents of the Town of Highland. Please don't let this happen again. Please be more aware and protect us.

Jim Hanson, I'd like to say it's important for communication, but that business has consistently done nothing to have an open line of communication. So, Bernie I understand what you're saying, but that business has got to step up to the plate too. Bernie says I understand the strengths that exists there. I'm not talking about that. That's a different type of problem. What I'm talking about is protecting the town and protecting these people. And it's not as if we didn't know something was going to happen. Jim Hanson says I hope you have the same conversation with them. Believe it or not I can talk to them. I don't know why people aren't communicating. You know, everything in life is about respect and communication. That's what it's all about. That's what makes things work. Respect and communication. And, by the way, your great websites, if they're not communicating with the town, they're guilty to. All right. So please don't take that as a one sided you know, really, but I was more concerned with, you know what was happening. You were somebody in the intersection trying to do the best he could and I would drop the pea jacket without PPE, personal protection equipment. He well could have been hit. I mean, you're aware of it. All I'm saying is please, let's learn.

Supervisor Haas

Thank you, Bernie. Okay, at this time, I'll entertain a motion to adjourn. Councilman Bosch I'll make that motion. Second by Councilwoman Haas, All in favor, all ayes.

One more item. We had a terrible loss last night with a citizen in the community who lost his house to a fire, he's a member of the Yulan Fire Department, the Yulan Fire Department has been assisting in setup a GoFundMe account for this gentleman.

Respectfully submitted
Susan Hoffman, Town Clerk
December 13, 2022