

Town of Highland
Regular Town Board Meeting
Eldred Town Hall
June 9,2020

PRESENT SUPERVISOR JEFF HAAS
COUNCILMAN JAMES GUTEKUNST
COUNCILMAN FRED BOSCH
COUNCILMAN JAMES HANSON
COUNCILWOMAN KAITLIN HAAS

ALSO, PRESENT TOWN CLERK DOREEN HANSON
HIGHWAY SUPERINTENDENT TOM EBERS

Supervisor calls meeting to order

Flag Salute

MOTION BY Councilman Gutekunst to approve the Town Clerks May 2020 Minutes, seconded by Councilman Bosch, discussion, roll call vote, all Board Members vote yes.

MOTION BY Councilman Gutekunst to approve the April Financial Report seconded by Councilwoman Haas, discussion, roll call vote all Board Members vote yes.

CORRESPONDENCE

Town Clerk reads American Legion May Report, number of calls 15, miles traveled 506, hours served 96. Types of calls, Emergency 13 Standby 2. Last year to date 79, Respectfully submitted Anthony LaRuffa, Captain.

Town Clerk reads Highland Lake Fire Department May Report, number of calls 5, number of participants 37, total manhours 32. Total worknights 3, number of participants 26. Respectfully submitted Susan Wade, Secretary.

Town Clerk reads Yulan Fire Department May Report, calls 7, personnel hours 40.63, drills10, personnel hours 121.92 miscellaneous 4, personnel 6.67, Firematically yours Phil Deyermond Chief.

Town Clerk reads letter from Roswell Hamrick: Dear Town of Highland Board, I hope this finds you all safe and healthy, I am following up on last year's meeting with Supervisor Haas. Since the repaving of Mail Road a few years back, there has been severe erosion on our property, due to the increased height of the road that has diverted the water drainage away from the drain and onto our property. Upon a site visit with a member of the Highway Department, Supervisor Haas acknowledged this last year and said the run off problem would be rectified when the town's other road work was being executed.

Subsequently, crusher run gravel was dropped and spread last year as a temporary solution. The problem keeps getting worse, it is creating a dangerous ditch effect, once again, and the crusher run is being washed away. We request the repair work in its permanent state, be completed at the earliest convenience of the Highway Department. The run off is a deterrent to our property. Let me know when and how you are rectifying this situation. Sincerely Roswell Hamrick.

Tom Ebers states he met with John and he is going to put the ditch back in there and we will do it in the next couple of weeks, the ditch was filled in and I would like the Doreen to read this in to the minutes, it is about drainage ditches from the Highway Law Book.

Town Clerk Doreen Hanson reads; Drainage Ditches. A drainage ditches properly constructed in a highway is a part of the highway and the owner of adjacent property has no right or filet up in such a manner as to obstruct or interfere with the purpose for which it was made. 1902.Op. Atty Gen277.

Town clerk reads correspondence for John Pizzolato, Chairperson, Upper Delaware Scenic Byway Committee, Town of Highland:

Dear Town of Highland Board, I hope this finds everyone safe and health, I am happy to give a monthly update on the progress of Upper Delaware Scenic Byway Committee for the purpose our town meeting. Thank you again for my re-assignment as official delegate for the Town of Highland at the last board meeting in May.

We recently reached out to Councilperson Haas regarding the funds needed to initiate the Sullivan County Planning Board's plans for the Town of Highland Access, via Heather Jacksy's architectural plan and project. The amount needed is \$5000. Making the plans official will allow the receipt of in-kind services to be initiated and counted town are the financial match in the amount of \$125,000 from the National Fish and Wildlife Foundation's Delaware Watershed Conversation Fund. The Sullivan County Visitors Association and The Greater Barryville Chamber of Commerce have both committed to contribution, but both are waiting the dollar amount that the Town of Highland can contribute to make up the difference. Perhaps a contribution of \$2500 would allow the other groups to split the expense? This will directly benefit resident of the Town of Highland and neighboring communities, as well as visit ore to the Town of Highland in pursuit of the traditional uses of the Delaware River including fishing, hunting rafting and boating.

As well, we are working on view shed clearing projects and "The Kate Project" which is under way via the DOT and the Delaware Company. The UDSBC and the GBCC are also interest in co-sponsoring these efforts. If there is a way to the Town of Highland to get the word out to residents and businesses thar our grant funding is very much still available, please share link:

<https://www.upperdelawarescenicbyway.org/grants/> for applications.

The Upper Delaware Scenic Byway Committee is readying for our close up by redesigning and modernizing our website, supporting the county wide litter pluck, pursuing the plans and expedition of the UDSC Visitor's Center in Callicoon, and putting the final touches on our watershed hamlet's antilittering signs. We will update you all once all of the details have been finalized and voted upon. Thanks for your time and continued support. Sincerely John Pizzolato, Chairperson UDSBC, Town of Highland.

HIGHWAY SUPERINTENDENT REPORT.

Highway Superintendent Tom Ebers states we are in the process of paving, we are going to scale down a bit, it looks like we are going to receive 80% the CHIPS money.

Supervisor Haas asks will you still hold off on CHIPS paving?

Highway Superintendent Tom Ebers state we are going to do it ourselves and save some money.

Supervisor Haas asks are you still going to work on the same roads?

Highway Superintendent states yes.

SUPERVISOR REPORT

Supervisor Haas states we received on bid for the Salt Shed, we received on bid for the Shed in the amount of \$614,840.00, one bid for electric in the amount of \$29,775.00 and the West and East Shed

Roof enclosure in the amount of \$57,000.00 each. The Board has been given this information and hopefully we can move forward with this tonight when we get into discussion. There will be more to come later on the agenda and hopefully we can move forward.

CORRESPONDENCE

Town Clerk Doreen Hanson would like to remind everyone that June 23, 2020 is Primary Day and the Town of Highland Town Hall will be used for the Primary for Tusten, Highland and Lumberland from 6:00 AM to 9:00 PM.

Just Anthony LaRuffa asks if the information about opening the Court can be read?

Supervisor Haas states the Courts are planning to open the Courts and there are sixteen items on this Memorandum that they will like the Town Court to abide by, the one that sticks out with us is the signage that we need to have in place and the cleaning, the Municipality shall be responsible to clean the court daily after every Court Session, that being said the cleaning lady only comes once a week, not after each Court Session.

Town Clerk Doreen Hanson states the cleaning lady comes to the Court on Tuesday and Town Hall on Tuesday; it would be asking her to clean one additional day at Court.

Supervisor Haas states the Code Enforcer is has been in charge of looking to glass panels for social distancing, and we have a proposal in front of us tonight. We are going to have to come up with funds or unify the Court dates like Lumberland does.

Judge Laruffa states the Town will get reimbursed up to \$1000.00, maybe it can be used for the cleaning and the glass partition and other equipment for Court. We are only allowed to let one person at a time, in the Court and the rest have to stay in the parking lot and the Court Clerk we haven't put anyone on the calendar until we open in July and we have certain restriction of what we can do and can't do. We can't do any evictions we can't suspend driver licenses; we can't have hearings. What we can't do will cut down on amount of people coming into Court

Supervisor Haas ask are you planning on working more hours?

Judge Laruffa states if need be, we will. Then again you will have to have the DAs to come on days we ask them and the Town Attorney will have to be available for vehicle and traffic. we can take. guilty plea by mail but most of the trials won't start until sometime in July.

Supervisor states you will have to keep the Board on what is going on. Dave is planning on going to the Court to look at what we need for social distancing and he has a lot of materials on hand.

Councilman Gutekunst asks Judge Laruffa to come up with a budget on what is needed at Court.

Councilman Hanson state the plex glass is not available, we got a price for glass for Town Clerk will that be in line that you need for the Court.

Judge Laruffa states yes but it will have to be the length to cover the Court Clerk also.

Councilman Bosch states it is my understanding that the entire glass will be six inches above the desk so it won't need any opening on glass.

Councilman Hanson asks Judge Laruffa is the other Judge amendable on all this.

Judge LaRuffa answers yes.

Supervisor Haas asks are you going back to work.

Judge LaRuffa states not until it is in compliance.

Supervisor Haas asks will anyone else inspect it besides us.

Judge LaRuffa states the two Judges will make sure it is in compliance.

COMMUNITY PLANNING AND SENIORS

Councilman Bosch states as far as I know the Seniors are not meeting.

Councilman Hanson state the Food Pantry is going along great, we have had so many donations from everyone and volunteers, from the County a pickup truckload of food each week and we have the grant money which we can get specific types of food for diabetics etc. So much of the burden of the food is being taken care of by the School with help from the Hallocks and Dr Morgano have done an outstanding job of think they are feeding form 40 to 200 people sometimes with sandwiches and meals, I don't know what the impact will be in the summer if the School closes or budget doesn't pass we will see what happen.

Supervisor Haas state he did hear from some of the Seniors about getting back in there to play cards and soon as we know when they can get back in there please let them know.

YOUTH AND PARKS

Councilwoman Haas states we should address that we have no plans to hold the Summer Youth Program with the time constraints on that have been put in place from the Governor and the time restriction that we operate and staff our program and we don't know if the school will be available , unfortunately we will have to cancel the Summer Youth Program at this time.

Councilwoman Haas states Doreen read the letter from UDSB about Heather Jacksy Town River Access Project. I did meet with Legislature Rob Dougherty, Heather Jacksy and John Pizzolato at the site to discuss what the process would be, it is might understating it the \$5000.00 is to get the plans to the point where they can get them started with the in-kind services. The grant money is still allocated for this project, but this will get them started with the in-kind services that they have been promised.

Supervisor Haas asks do you feel you want to move forward on that at this time.

Councilwoman Haas states I would like to discuss with the Boards input, we just got the information, the ability for other programs to match some of the funding. I certainly want everyone's input on the contribution and I know the project has been slowed and stopped before, I want to discuss the ability to support it with the financial situation we are in with the Board.

Supervisor Haas asks do we have an updated Budget.

Councilwoman Haas states no but I will ask.

CODES

Councilman Bosch states Jennifer from the Park Service sent an email about us having a meeting, I am available any day coming up except Monday if Jim is available.

Councilman Hanson states Thursday I go to pick up food for pantry and bring to Fireman's Field to store and Friday I have to pick it up at Fireman's Field and bring to the Food Panty so Thursday and Friday are not good. I emailed her back and said in a couple of weeks

Councilman Bosch states anytime you set up meeting is good with me.

EMERGENCY MANAGEMENT

Councilwoman Haas states it looks like they have been doing some work at the parish hall with the generator.

Supervisor Haas states yes, I was informed at 5:00 pm today that the generator at the parish hall is up and running

Councilwoman Haas states the parish hall will be a warming center in case of Emergency and we will update the Emergency Plan.

Councilwoman Haas states we did have another power outage this past weekend and when this happens, we do notify NYSEG and make sure they post when power will be restored and we let our Legislature. Pretty typically it is caused by trees that are outside the NYSEG right of way.

GRANTS

SUPERVISOR Haas states the grant monies are in according to the bookkeeper, Councilman Gutekunst and I will go over those records to make sure they go into the right places.

BUILDINGS

Councilman Bosch states I received a call from P& N Alarm and they will work on the alarm at the Highway Shop at the end of this month.

Councilman Hanson states he stopped at the Highway Shop and I was asked if we budgeted for a lift this year's budget? I said I would check with the Board it is a big-ticket item it is something we need to discuss.

Supervisor Haas states we got the senior citizens parking lot paving, some sort of emergency generation for the Highway Shop that was also plugged in, I think we were looking at what kind of saving along the line to see if we could go with a lift.

Highway Superintendent Tom Ebers states we would like the generator first.

Supervisor Haas we would like to see this but the priority list is different with this going on.

Highway Superintendent Ebers states we shut the boiler off at the shop as they are coming back to fix it.

Supervisor Haas states that is DJ Mechanical we are holding his last check as he has to rewire so it is a cold boiler system. It is an additional savings for us. Dave has been in contact with him almost daily.

Highway Superintendent Ebers states Herman Wyss is done with the electric.

Supervisor Haas states what Tom is talking about is the outlet upgrade with the transfer for the problem we had with low voltage, we added the transfer and it is on the voucher list for payment.

Councilman Gutekunst asks is it the \$500.00 for Herman Wyss?

Councilman Bosch states that is for the generator at the emergency shelter in Y, the upgrade is \$6100.00.

BEAUTIFICATION

Councilman Hanson states we are off to a fast start, I don't know if anyone noticed the sign in Yulan is missing, we are rebuilding it, Karol and the intern have been working on it, put the wood filler and repainted it. They went to the Fireman's Field in Yulan and painted the fence.

We got the hanging baskets and will work on that tomorrow and we are waiting for the dirt.

PERSONEL

Councilman Gutekunst states both he and Jim Hanson have interviewed by phone Joe Meidriech for the position of Building Superintendent and both found him to be a very qualified candidate, the appointment is on the agenda to be approved.

CONSTABLE

Supervisor Haas states I spoke to Mike Walton and he was on his way to see a new grandchild and do we need a Constable for the meeting, I told him no and go see your new grandchild.

Councilwoman Haas states the Constable were a great help during the power outage, they put out the stop signs at four corners in Eldred and removed the when the power went on. We appreciate them putting them out and putting them back.

ENERGY AND ENVIRONMENT

Councilman Gutekunst states he sign the agreement with NYSEG to get LED lights in the Eldred Street Light District which will save about \$1,200.00 a year and first year cost will be nine hundred and change.

UDC

Councilman Gutekunst states we had a phone meeting; the DEC has had a discussion and there was a proposal to be discussed about opening up the river for all year-round trout system.

Another discussion was about bringing solar panels to the river corridor and there was a letter from Parks Department about the complaints regarding project on the river, I think this goes back to Peter Golod and our relationship with him. I think it sound like rogatory over reach because they don't have any rogatory authority and if we get involved with rogatory issues without authority to so it could be a legal battle with the citizens. We have to walk very carefully. Everyone has their own responsible, the Towns have Code Enforcer and Building Inspector to enforce the Town Zoning, it is not the UDC or the Parks Department to enforce the Town Zoning

Councilman Hanson asks who wrote the letter?

Councilman Gutekunst states the Park Department.

OLD BUSINESS

Sale of the Highway Shop, Councilman Gutekunst states I spoke to Bill and he has talk to the bank and not getting anywhere, he feels has financially sound and good business plan for the bank and the bank will be well protected and well as Development Corp which guarantee the funds He is going to look into other funding mechanisms.

Supervisor Haas asks Michael Davidoff do we give him another 30 day.

Michael Davidoff states you might as well, you will have to make a resolution to extend the mortgage commitment.

MOTION BY Councilman Hanson to approve a Thirty Day Extension for the Sale of 16 Proctor Road, Eldred NY Consisting of SBL: 13.-6-13.21, 13.-6-5,13.-6-14.1 and 13.-6-14.3 to T McMillo LLC for \$220,000.00 seconded by Councilman Bosch discussion , roll call vote , all Board members vote yes.

Councilman Gutekunst states he will call and tell him the Town extended the deadline for other days and that he should really get going.

Councilwoman Haas states that she would like to say on her behalf about a number of concerns about an offensive flag being flown on private property in Yulan and I want to acknowledge that we received everyone concerns and just because your have the right to do something doesn't mean it is right, or neighborly or kind and to just remind everybody of the importance of our community how much we supported everyone when needed and celebrated the outstanding accomplishments. We have all chosen to live here we are chosen to invest our time and energy here , we have all grown and to learned and overcome obstacles together and I would encourage everyone to meet ignorance with education and to remember and your words have action have power to lift people up and destroy them and to be

kind and be kind to one another because we have lots of people who have choosing to make the Town of Highland their home and we should welcome them and be kind to them.

Justice Tony LaRuffa asks who does the Court meet with so we can come up with a diagram for the Court

Supervisor Haas states Code Enforcer Office Dave if that is alright with the Board

Justice Tony LaRuffa ask who do we address our concerns to

Supervisor Haas states Dave.

NEW BUSINESS

Tony LaRuffa states the Town of Highland Lions Club would like to hang a banner thanking all essential workers on the Town Hall I spoke to Councilman Hanson and Councilman Gutekunst about different spots and we agreed to a 4 by 8 sign would be ok. Councilman Hanson states we said only if Councilman Bosch said its ok. Tony LaRuffa states it will be only for a few months.

MOTION BY Councilman Gutekunst to allow the Town of Highlands Lion Club to place a banner on the Eldred Town Hall thanking the Essential Workers during the Covid 19 pandemic seconded by Councilman Hanson, discussion, roll call vote, all Board Members vote yes.

Town Clerk Doreen Hanson states I have driven through Matamoras and seen the flag on poles with pictures of Veterans, I am asking the Board support on this the only thing I would need in financial support is a certificate of insurance as we did with the hanging baskets and help with hanging the flags. The flags cost \$150.00 and that cost would be on the person or family who picture is put on the Flag. I have asked Andy and I need to ask Fred permission if we can use the 911 Heroes Park checking account, we would not use any of the money in the checking account, it would be money in and money out to pay the bill.

Councilman Gutekunst ask who makes up the picture.

Doreen Hanson states a company in Middletown.

Councilman Bosch states I love the idea but the only problem, is like when we had the sign across the road everybody wanted their name on the board, the board was too small we eventually took the sign down, what are the requirement to who is on the flag, is it only Town of Highland residents.

Doreen Hanson state this is something we can discuss when we have a meeting.

Councilwoman Haas states typically one veteran per sign and have a picture the family selects their unit, conflict they served in and date, branch of service that they served in. They should have some connection to the Town of Highland

Councilman Bosch states how many will we do; will we have to put a limit on it.

Supervisor Haas states I think that depends on how many signs up to buy the flags.

Supervisor Haas I think this should be for discussion when you see what the feedback is and I think the whole Board would like to participate with you and perhaps the Highway Superintendent. Move forward Doreen please.

Supervisor Haas states we received a request to use the Town Hall for Census Enumerators

Town Clerk Doreen Hanson states the first one will be on June 26 there will be about five people, we have let them use the Town Hall in the past.

Councilwoman Haas states as long as we are ensuring they follow the proper guidance.

Tony LaRuffa states twenty years ago Towns from Albany to Westchester we used Town Halls

MOTION BY Councilman Hanson to allow the Census to use the Town Hall for training enumerators as long as they follow all Covid 19 regulations seconded by Councilman Gutekunst discussion, roll call vote all Board member vote yes

MOTION BY Councilman Gutekunst to approve the sale of a pair of welders to Joe Snyder in the amount of \$100.00 seconded by Councilwoman Haas, discussion, Supervisor Haas questions the Highway Superintendent this has been surplus? Highway Superintendent Tom Ebers states yes three times, roll call vote, all Board Members vote yes.

MOTION BY Councilman Hanson to appoint Joe Miedreich as the Building Superintendent at a rate of \$ 17.00 per hour for

15 hours per week to start unless we need him more, with beginning work on June 10, 2020 seconded by Councilman Gutekunst

discussion, roll call vote, all Board Members vote yes.

MOTION BY Councilwoman Haas to approve the resolution requiring Highway Superintendent to give reason in writing to the Supervisor for not using lowest bidder on all stone bids seconded by Councilman Bosch discussion, Supervisor Haas states background on this is we advertise for stone bids and we accept all bids but we don't know why sometime the lowest bid is not used and now the Highway Superintendent will have to give reason to the Board why the lowest bidder wasn't used , this has come from the Town Attorney. Supervisor Haas asks Highway Superintendent are you clear with that. Highway Superintendent Tom Ebers answers yes, I am clear.

MOTION BY Councilman Hanson to approve dollars for glass partitions and in Town Offices and Town Court and a counter with in Town Clerks Office in the amount of not to exceed \$2500.00, discussion Councilman Hanson question Councilman Fred Bosch do you think this is enough for the project with including the Court House? Councilman Bosch state I think we should up it a little bit, Councilman Hanson states give me a number and I will make the motion, Councilman Bosch states I think not to exceed \$3500.00, seconded by Councilman Gutekunst, roll call vote, all Board Members vote yes.

MOTION BY Councilman Hanson to approve the 2019 American Legion Ambulance Squad Volunteer Ambulance Worker Service Award Program List of Certified Points, seconded by Councilman Bosch discussion, Supervisor Haas states we basically rubber stamp this as we don't keep the records, the Ambulance Corp does, seconded by Councilman Bosch discussion, roll call vote , all Board Members vote yes.

MOTION BY Councilman Gutekunst to approve the budgetary transfer to be made to the 2020 General Budget From: A960 Appropriations

A2189 Other Grants: Other Home & community Services \$ 3425.00

To A960 Appropriations A1990.4 Contingency \$ 3425.00

discussion Councilman Gutekunst asks is this in General Fund, Supervisor Haas states yes, Councilman Hanson states it is for the Renaissance Project

roll call vote all Board Members vote yes.

MOTION BY Councilman Hanson to approve the Indemnity Agreement dated June 9,2020 with Frank Phyllis Montelone for Eagle Park and authorize the Supervisor to sign the Agreement seconded by Councilman Bosch, discussion, Supervisor Haas states a lot of discussion on the park at last meeting and at our workshop the Board asked I would talk to Frank and Phyllis about their intention with the property moving forward and a possible long term agreement . I met with Frank at length at about an hour and fifteen minutes at least and we went over the original size of the park, size of park right now obstructions, barriers, issues with the park. We came to an agreement the size of the park as it exist right now will be the size of the park. Frank and Phyllis are erecting a fence behind to delineate the park

from their parking lot. We maintained the handicap and two sets of stairs and I said we will maintain the park in current sat until either party doesn't want it. Frank said you can keep as long as you want as you want with consideration being given that we have the indemnity agreement and the park being from taken off the tax roll so they don't have to pay taxes on the park. I spoke to our Town Attorney and our Assessor and there are avenues we can take and they didn't seem to have an issue with this. He has a very large commercial project that he wants to launch on that property and would like our support with that also, looks like a nice operation for the town if he can move forward at its present state. Frank was going to go home and share the conversation with his wife Phyliss. He did sign and return the indemnity agreement.

Councilwoman Haas states this is just an Indemnity Hold Harmless Agreement only and there is no additional expense to the town, roll call vote, all Board Member vote yes

MOTION BY Councilman Gutekunst to Pay Highway Abstract #6-2020 claims #s 76 to # 84 in the amount of \$ 54,298.59 which have been audited by the Board seconded by Councilwoman Haas, discussion, roll call vote, all Board Members vote yes.

MOTION BY Councilman Gutekunst to pay General Abstract # 6-2020 Claims #s 145 to # 171 in the amount of \$113,298.09 which have been audited by the Board, seconded by Councilwoman Haas, discussion, roll call vote, all Board members vote yes.

MOTION BY Councilman Gutekunst to pay Salt Shed Abstract #6 -2020 Claim #s 11 to #in the amount of \$2940.00 which have been audited by the Board, seconded by Councilman Hanson discussion, roll call vote, all Board Members vote yes.

MOTION BY Councilman Gutekunst to pay Capital Highway Building Abstract #6 to claim # s 22 to # 25 in the amount of \$8,333.32 which have been audited by the Board, seconded by Councilman Bosch, discussion, roll call vote, all Board Members vote yes.

MOTION BY Councilman Gutekunst to pay Eldred Street Lights #6-2020 claim # 6 in the amount of \$137.54 which have been audited by the Board, discussion, roll call vote, all Board Members vote yes.

MOTION BY Councilman Bosch to go into Executive Session for reasons of Litigation seconded by Councilman Hanson discussion roll call vote, all Board Members vote yes.

MOTION BY Councilman Gutekunst to come out of Executive session, seconded by Councilwoman Haas discussion, roll call vote, all Board Members vote yes.

MOTION BY Councilwoman Haas to recess until Friday June12,2020 @ 1: PM seconded by Councilman Bosch discussion, roll call vote, all Board Members vote yes.