

March 12, 2025

The Town Board of the Town of Harpersfield held a Board meeting on March 12, 2025.

Present were:	Lisa M. Driscoll,	Supervisor
	Erik R. Reeve,	Councilmember
	Patrick F. Funk,	Councilmember
	Donna VanSickell,	Councilmember
Also Present :	Russel Hatch,	Supt. of Highways
	Heidi R. Stevens,	Town Clerk
	Thomas Giaguzzi,	Deputy Town Clerk
Others Present:	Eileen King,	President of Headwaters Board
	Peter Proppo	Lieutenant Stamford Fire District
	Adam Gallagher	
	Nicole Weichert	
	Thomas VanSickell	
	Gloria Henderson	
	Henry L. Browning	
	Don Vanetten	
	Joe Hornbeck	
	Cliff Mueller	
	Doug Cole	

The Meeting was called to order at 7:00 PM by 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 there were any questions comments or concerns regarding the minutes from January 8th, February 12th or February 21st. The Board had no

questions, comments or concerns. A motion to accept the minutes was made by Patrick F. Funk and second by Erik R. Reeve.

Supervisor Lisa M. Driscoll asked if there was any correspondence to be brought to the Board. There was no correspondence.

Supervisor Driscoll informed the Board that next on the agenda was the resolution for the annual Justice Report.

TOWN OF HARPERSFIELD
RESOLUTION NO. 00A OF THE YEAR 2025

Councilmember Erik R. Reeve offered the following resolution and moved its adoption:

TITLE: TOWN JUSTICE ANNUAL REPORT

WHEREAS, Town Justice Lawrence R. Musella has presented the Town Supervisor with a letter advising her that the records and docket for the Town of Harpersfield Court, Calendar Year 2024, are available to be presented for examination.

WHEREAS, the Appendix 10 – Annual Checklist for Review of Justice Court Records, the monthly reports and the report of certifications have been presented to the Town Board for review.

BE IT RESOLVED, that the Town Board of the Town of Harpersfield acknowledges that the required examination has been conducted at their regular meeting held on March 12, 2025.

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

Adopted:	Supervisor	Lisa M. Driscoll	Aye.
	Councilmember	Patrick F. Funk	Aye.
	Councilmember	Erik R. Reeve	Aye.
	Councilmember	Donna Van Sickle	Aye.

Absent: Councilmember Dwayne C. Hill

Supervisor Lisa M. Driscoll informed the Board that next on the agenda is the Town's snowplowing, sanding for emergency vehicles on private property. Supervisor Driscoll asked Peter Proppo, Lieutenant of Stamford Fire District, Eileen King, President of Headwaters Board, Don Vanetten and other members to come to the Town Board meeting so the Board could address some concerns.

Supervisor Driscoll has looked into the Town of Harpersfield insurance regarding emergency plowing or sanding on private driveways. The insurance company has told Supervisor Driscoll that the Town's trucks are covered although it is based on the situation.

Don Vanetten told the Board that he has been in the business for several years. To his knowledge this emergency response process has never been abused. Mr. Vanetten went on to say when 911 requests the Town to come out and assist it's for an emergency reason. Medical emergencies, vehicle accidents, structure fire etc.. There are very rare instances that the Town will be called for assistance. Most recently it was headwaters that needed the Town's assistance. Mr. Vanetten has reached out to the 911 emergency services office to ask them if they had a policy in place. 911 informed Mr. Vanetten that there is no policy in place at the County level, however the practice has been that if emergency responders need assistance they contact the Town.

Mr. Vanetten was provided with a document from the Office of the New York State Comptroller that states that the Town would be protected in the rare instance that this occurs. This paragraph states, based on these principles, this Office has stated that, generally, a town may not use town personnel and equipment to remove snow from private roads and driveways. A town may, however, remove snow from a private property in order to provide access to a town official's home which is also used as his or her official office. Similarly, we have stated, in the event of an emergency, such as a serious illness or fire, it is within the scope of a town's police powers in the interest of public health, safety and welfare, to plow a private road or driveway if necessary to render private property immediately accessible. In the latter two instances, the private benefit received by the property owner is only incidental to the primary public benefit.

Mr. Vanetten stated that he did speak with the town of Kortright regarding an instance where this was being abused and that is no longer happening. They certainly would see if the services were being abused and would stop it before it became a problem. The service is for emergencies only. He would like the Board to take into consideration everything that he has brought forth to them before they make a policy.

Russ expressed that he will always stand behind the Fire Department. Russ wanted to bring this in front of the Town Board, so they know what the highway department does in emergency situations. If a taxpayer was to see a Harpersfield Truck plowing a private driveway. The Board would know that in emergency situations this does happen. Russ also wanted the Board to know that there have been times in Delaware County that he heard of this service being abused. Taxpayers have been known to need their driveway plowed so they have called 911 for medical reasons and get the driveway plowed, then refuse medical treatment. Russ also stated that many years ago a taxpayer called 911 because they needed oxygen brought to them and the Town was called to help. The Town's truck hit a spring house on the property and took the

wing off the truck as well as damaged the well house. The Town Board needs to be aware that these things do happen.

Patrick F. Funk says that his biggest concern is that the town guys know the Town roads they do not know the private driveways. Doing this is putting Towns trucks and the drivers at risk. If something happened, who's insurance is liable?

Russ Hatch asked, "When would the fire departments insurance pick up? For instance, if the Town truck slid into a garage on a private driveway."

Mr. Vanetten explained that would probably fall under the mutual aid insurance. He doesn't claim to be an insurance agent or an attorney, but he knows in the past that has happened.

Supervisor Driscoll went on to say that when she spoke with the insurance company, they told her that it is case by case and they would have to see the accident report to know what would be covered. Supervisor Driscoll also stated she thinks that if the Highway Supt. gets the call from 911 that the highway department should go and help, but the Board needs to also make that decision.

Erik R. Reeve stated, it's obvious that if it comes to a house burning down or someone having a heart attack because emergency responders cannot get to them, we do not want that to happen. At the same time if the taxpayer isn't here full-time and does not take care of their driveway, say there is a foot of snow. Does Headwaters bill out?

Elieen King, President of Headwaters Board, explained that for ambulance responses the insurance gets billed. Ms. King continued with the concerns that Headwaters was expressing is the delay in care. The discussion continued.

The Town Board agrees that full support of the Town continuing help if need be.

Supervisor Lisa M. Driscoll informed the Board that next on the agenda is the Annual Town Financial reports. The Town's bookkeeper is still working on the Towns annual report. The Town has received an extension. Once the report is done. It will be presented in front of the Board.

Next on the agenda is the JCAP grant for new cameras. We have received the grant for the panic buttons and the cameras. The grant is for \$2932.00. The actual bill for the cameras is \$6,481.00. Which would mean that the Town would need to make up the difference of \$3549.00. The cameras that we have in the Town Hall are outdated and expensive for the upkeep on them. The Town is looking to put in the same system that was just installed at the Transfer Station.

A motion to accept the JCAP grant was made by Patrick F. Funk seconded by Donna VanSickell. All voting Aye.

Supervisor Driscoll informed the Board that next on the agenda is the Town insurance. The insurance has a bit more coverage, it did go up 7%. The insurance goes into effect April 15, 2025.

Supervisor Driscoll informed the Board that next on the agenda is the Shared services agreement. Our shared service agreement we need to review on an annual basis. The shared service agreements with the rest of the Towns we have been reviewing. There are a couple agreements that have expired. Those towns have been contacted and are sending us updated contracts to be signed and filed at the Town Hall.

A motion was made to accept our shared service agreement by Patrick F. Funk seconded by Donna VanSickell. All voting Aye.

Supervisor Driscoll informed the Board that next on the agenda is software that is being looked at for Code Enforcement. The one that has been reviewed so far is the City Reporter. This proposal is based on the amount of people in the Town. The more people residing in a Town the higher the proposal would be. Harpersfield is a relatively small Town so the price would be less for us. This software would make it possible for the Town Assessor to be able to get into the program and find certain information that she would need to assist her in her job also. The cost would be an annual fee of \$3700.00 with a one-time fee of \$625.00. There is another software that is being looked at tomorrow. That will be brought to the Town Board at the next Board meeting.

Supervisor Driscoll asked the Board if there are any items to address with the Board?

Mr. Funk brought to the attention of the Board that the electric lines going down Mile Hill (State Hwy 23) are laying in the trees. He wanted to know if the Town could contact NYSEG with this concern. Russ Hatch knows a few people at NYSEG that he can contact regarding this.

Supervisor Driscoll asked the Board to look at the packet they have in front of them. This packet contains information on a farm that is using WAC (Watershed Agriculture Council). Supervisor Driscoll has sent this Packet over to the County Planning Board. They are reviewing this as well. The County informed Ms. Driscoll that if after they review it and if they have any comments or concerns, they will bring them to the Towns attention. A discussion was had.

Supervisor Driscoll informed the Board that the Codes Enforcement Annual report has been completed and sent to the State.

Supervisor Lisa M. Driscoll informed the Board that the Town will be purchasing a computer for the Deputy Clerk. This computer can also be used for summer help as well as any other office personnel in the Town Hall.

Supervisor Driscoll informed the Board that next on the agenda is the Town Highway Superintendent.

Russ Hatch told the Board that he contacted the outfitter regarding the new truck. The update with the Truck is that a new box for the truck needs to be built. The company is going to try and put us at the head of the list.

Patrick F. Funk asked Russ about the warranty on the truck since the Town hasn't received the truck yet. This truck was bought from Volvo and is now at a separate outfitter to get things put on it for plowing and sanding. Russ answered Patrick F. Funk he will call about the trucks warranty. He believes that there is a 5-year warranty on components and a 1-year warranty for emissions.

Tax collector Heidi Stevens presented the Monthly Tax Collectors Report to the Board. The Town received \$343.82 in bank interest and \$782.92 in penalties for the month of February.

The Town Clerks report for the month of February was issued to the Board. The amount that the Town received was \$259.75.

Supervisor Lisa M. Driscoll informed the Board that next on the agenda is the Abstract and Vouchers for February 2025. Supervisor Driscoll issued the vouchers for the Board to review. Going over the abstract a bit, the Town paid the ambulance service \$100,000.00. There is also a \$23,000.00 fuel bill. Supervisor Driscoll also informed the Board that the Town received money from the County for snow plowing in the amount of about \$14,000.00 for the month of January.

Supervisor Driscoll mentioned to the Board that she will be getting in touch with Headwaters, there is an audit that needs to be done in order to close out the bank account from the Certificate Of Need regarding what came in and what went out.

Patrick F. Funk made a motion to pay the bills seconded by Erik R. Reeve.

Supervisor Driscoll informed the Board that there was an incident at the Transfer Station today. The State Police were called. The Town will get a copy of the Police Report. An incident report was written and filed at the Town Hall. A discussion was had.

Supervisor Lisa M. Driscoll informed the Board that next on the agenda is the Supervisors Report. The one that is presented to the Board is a draft, so much of February is not on it. The bookkeeper will give us an updated one for next month's Board meeting.

Supervisor Driscoll also informed the Board that the CHIPS money has come.

A motion to go into an executive session for personnel was made by Patrick F. Funk and seconded by Donna VanSickell at 8:00 PM. All voting Aye.

A motion to adjourn the meeting was made by Patrick F. Funk seconded by Donna VanSickell at 8:31 PM. All voting Aye.

The next Regular meeting of the Town Board will be held on Wednesday April 9, 2025 at 7:00 PM.