

June 10, 2026

The Town Board of the Town of Harpersfield held its regular meeting of the Board on June 10, 2026.

Present were:	Lisa M. Driscoll,	Supervisor
	Erik Reeve,	Councilmember
	Donna VanSickell,	Councilmember
	Dwayne C. Hill,	Councilmember
Also Present:	Heidi Stevens,	Town Clerk
	Russell Hatch,	Supt. of Highways
	Thomas Giaguzzi,	Deputy Town Clerk
Other Present:	James LaValle, ESQ.,	Young/- Sommers
	Liz Page,	Editor of The Mountain Eagle
	Thomas VanSickell	

The meeting was called to order at 7:00pm by Lisa Driscoll. Supervisor Driscoll led the board and those in attendance in the Pledge of Allegiance.

Supervisor Driscoll asked if there were any questions, comments or concerns from May 13, 2026 minutes.

There were no questions comments or concerns regarding the minutes from May 13, 2026.

A motion to accept the May 13, 2026 minutes was made by Dwayne C. Hill. Seconded by Donna VanSickell. All voting Aye.

Supervisor Driscoll asked if there was any correspondence for the Town Board.

There was no correspondence.

Supervisor Driscoll informed the board that next on the agenda was the update for Headwaters Ambulance.

Liz page informed the board that the old ambulance is starting to have issues. They are discussing purchasing a new ambulance. The staffing is getting much better with more people getting qualified. She doesn't believe that they have had any down days due to staffing.

Supervisor Driscoll asked the board if they had any questions for Headwaters.

There were no questions.

Supervisor Driscoll informed the board that next on the agenda is training for personnel.

Tom Giaguzzi told the board that the town is waiting on a few more people to complete the required training. The training is to be completed and handed in to the Deputy Town Clerk by Monday June 15th.

Supervisor Driscoll informed the board that next on the agenda is the Robinson Broadhurst grant for the excavator. Ms. Driscoll provided the Town Board members with a letter that she had received from Robinson Broadhurst. Robinson Broadhurst has given the Town of Harpersfield a grant in the amount of \$30,000 towards the new excavator. The new excavator will cost approximately \$125,000. Robinson Broadhurst would like the Town of Harpersfield to advise them in writing when they should disburse the funds.

Russ Hatch told the board that he has been working with Eklund Farm Machinery with the excavator. The excavator would be on state contract if the town purchased it from them. The town would not have to but the excavator out to bid. Russ asked the board if they were alright with purchasing it from Eklunds or if they would prefer it to go out to bid.

Supervisor Driscoll asked if Russ had gotten any documentation from Eklund this far.

Russ answered no he had not received specifications or costs at this point.

Councilmember Erik Reeve asked a question regarding the excavator needing to go to bid if it is purchased from Eklunds.

Russ answered no, Eklunds is on state contract and approved by OGS.

Councilmember Dwayne C. Hill stated if the Town of Harpersfield could keep it local, he would be ok with it.

Supervisor Driscoll asked if the next step would be to bring the specifications and the amount to the board.

Russ answered yes. He had talked with them this afternoon and it is in the works.

Supervisor Driscoll informed the board that next on the agenda is the retainer for general legal services. Young/- Sommers has been informing her that there would be an increase in their billing rate.

A motion to accept the new billing rate from Young Sommer LLC and authorize execution of a new retainer agreement (Agreement No. 004 of 2026) was made by Erik Reeve. Seconded by Dwayne C. Hill. All voting Aye.

Supervisor Driscoll informed the board that next on the agenda is the fireworks display permit for the Stamford Fire Department. These fireworks are scheduled to be held on July 25th at approximately 9:30 pm. Location will be 105 Terry Rd. They will last approximately 12-15 minutes.

A motion was made for the fireworks permit by Dwayne C. Hill. Seconded by Donna VanSickell. All voting Aye.

Supervisor Driscoll asked if the councilmembers had any items to address with the board.

There were no items to be addressed.

Supervisor Driscoll informed the board that next on the agenda is the paving update.

Russ told the board that the Highway Department had started paving. He also informed the board that the State Budget has passed, so C.H.I.P.S funding will be available. As far as the oil and stone is concerned, the Highway Department needs to wait for two weeks for the paving to cure before they can seal it.

Russ said that he has not had a chance to put the Transfer Stations backhoe on the auction site. He will have that for next month's meeting.

The guardrail is up on Gun House Rd. Russ is hoping that having the new guardrail up will slow people down.

Supervisor Driscoll asked if next year Russ plans on doing another guardrail.

Russ answered yes, on the lower corner on Gun House Rd.

Russ informed the board that the lawnmower has been purchased for the Town buildings and the Transfer Station. The Board members will see that on the abstract.

Supervisor Driscoll told the board that the lawnmowers cost was split between the Transfer Station and the town.

Russ said that the employees were having to weedwack the whole bank, it was a lot of work for them. The lawnmower is a commercial walk behind with a 32" deck.

Supervisor Driscoll asked Russ to talk about the truck that has just gotten fixed.

Russ informed the board that last month he had told the board that there was a truck that needed to be repaired and the repairs were going to cost around \$20,000. The truck has been completed; the cost was around \$27,000. A new head, new injectors, and a new cam have been installed along with all the other parts that go with them. This was on a 2009 Volvo. This is a good truck with only about 200,000 miles on it.

The Town Clerks report for the month of May was issued to the board. The amount the town received was \$775.50.

The Tax Collectors report was issued to the board. The amount for the collection of bank interest for the month of May was \$161.49.

Supervisor Driscoll informed the board that next on the agenda is the abstract and vouchers. She informed the board that there was a clogged toilet at the Transfer Station. Pill Simmons had to come. The Town paid him \$1500 for that service.

A motion to pay the bills that have been presented to the board was made by Dwayne C. Hill. Seconded by Donna VanSickell. All voting Aye.

Councilmember asked if the town had heard anything from Amerigas regarding the propane tank that is behind the Town Hall building.

Supervisor Driscoll answered no. The tank is still sitting there. They have not come to get it yet.

Supervisor Driscoll informed the board that next on the agenda is the profits and losses.

Supervisor Driscoll asked if there were any questions regarding the profits and losses.

There were no questions.

Next on the agenda was a discussion regarding Mountain Top Airfield LLC and their threatened litigation against the Town.

Town Counsel, James LaValle informed the board that they would need to invoke executive session to discuss threat of litigation by Mountain Top Airfield LLC.

A motion was made to go into executive session to discuss threatened litigation by Mountaintop Airfield LLC and to receive privileged advice and counsel from the Town Attorney which fell outside the scope of Open Meetings Law by Dwayne C. Hill at 7:20 pm. Seconded by Donna VanSickell. All voting Aye.

A motion was made to come out of executive session at 7:40 pm by Dwayne C. Hill. Seconded by Erik Reeve. All voting Aye.

Supervisor Driscoll went to see if there was any resident who stayed to see the outcome of the executive session and to invite them back into the room if so.

There were no residents waiting outside.

A motion was made by Erik Reeve to consider a revised Escrow Agreement for Mountain Top Airfield LLC (Agreement No. 005 of 2026). Seconded by Donna VanSickel. All voting Aye.

A motion was made to authorize execution of the legal services agreement from Young/- Sommer LLC for legal services covered by the escrow agreement with Mountain Top Airfield (Agreement No. 006 of 2026)- was made by Dwayne C. Hill. Seconded by Donna VanSickell. All voting Aye

HARPERSFIELD TOWN BOARD
RESOLUTION NO. 014 RECINDING RESOLUTION NO. 012
AND AUTHORIZING SUPERVISOR
TO EXECUTE REVISED ESCROW
FOR PROFESSIONAL CONSULTANT SERVICES

DATE: June 10, 2026

WHEREAS, Mountaintop Airfield, LLC (“Applicant”), through its authorized representative, submitted an application to the Town of Harpersfield Planning Board (“Planning Board”), for site plan amendment to allow for overnight camping at the Applicant’s existing motorcycle training facility on a 134-acre parcel of land located at 396 Zimmerman Road in the Town of Harpersfield (“Application”); and

WHEREAS, the Application documents submitted to the Planning Board include a proposed site plan, completed application for Site Plan Review, a Long Environmental Assessment Form, and correspondence from New York State Department of Health; and

WHEREAS, the Planning Board must review the application materials and the environmental impacts of the proposed use in accordance with the Town of Harpersfield Site Plan Review Law and SEQRA; and

WHEREAS, pursuant to Section 7.070 of the Town of Harpersfield Site Plan Review Law, the Planning Board has the authority to hire professional consultants to assist in its review of an application at the Applicant’s expense; and

WHEREAS, the Planning Board has determined it needs the assistance of a land use attorney and may require the assistance of an engineer to review the Application and make recommendations to the Planning Board; and

WHEREAS, by Resolution No. 012, the Town Board authorized execution of an escrow agreement with terms that were informed by its experience on prior matters, as evidenced in relevant correspondence, bank ledgers, invoices for services, agreements, prior escrow agreements, affidavits and other documentation that has been compiled by the Town; and

WHEREAS, the Applicant has indicated it will not execute the escrow agreement that was authorized by Resolution No. 012 and has threatened to commence litigation against the Town; and

WHEREAS, the Town Board has considered the Applicants' comments and the record demonstrating its prior experience, including the aforementioned correspondence, bank ledgers, invoices for services, agreements, prior escrow agreements, affidavits and other documentation, to determine if revisions can be made to address the Applicant's concerns while ensuring certain minimal safeguards remain in place to protect the Town; and

WHEREAS, the Town Board has caused a revised escrow agreement to be prepared which has been reviewed by the Town Board.

NOW THEREFORE IT IS HEREBY RESOLVED, the Town of Harpersfield Town Board:

1. Resolution No. 012 is hereby rescinded and shall be of no force and effect; and
2. The Supervisor is authorized to execute the revised Escrow Agreement appended hereto to enable the retention of professional consultants to provide legal counsel and technical assistance to the Planning Board in connection with its review of the Application under the Town of Harpersfield Site Plan Review Law and SEQRA.

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Harpersfield:

The motion was moved by Erik Reeve.

The motion was seconded by Dwayne C. Hill.

The vote was as follows:

AYE:4

NO:

ABSENT:1

A motion to adjourn the meeting at 7:45 pm was made by Dwayne C. Hill. Seconded by Donna VanSickell. All Voting Aye.

The next regular meeting of the Town Board will be held on Wednesday July 8, 2026 at 7:00 pm.