

Catskill Town Board Committee Meeting
Cementon Sportsman Club
April 18, 2012 6:30 pm

Attendance: Joseph Leggio, Supervisor; Robert Antonelli, Councilman; Pat Walsh, Councilman; Kevin Lennon, Councilman; Gary Carlson, Councilman; Elizabeth Izzo, Town Clerk; John Cashin, Code Enforcement Officer

Supervisor Leggio opened the meeting with a moment of silent prayer and the Pledge of Allegiance.

Supervisor Leggio stated the first item to go over is for the Code Enforcement Officer to review Eddie Wilkins property. There was an order to remedy. The due date is tomorrow. John Cashin visited the property today and believes Mr. Wilkins has overwhelmed himself with his collections and it is not getting any better. We have bids to clean the property up. Supervisor Leggio asked if John reviewed all the bids and if he had a recommendation. John stated the Code Office has worked before with the low bidder on previous jobs and it has been satisfactory. That is the only one he has any experience with. This is the board's decision. Supervisor Leggio stated if you are confident with the low bidder we will have the attorney review it and then proceed with the work.

Councilman Antonelli mentioned the vehicles and to have the junk yard pick those up. Councilman Walsh stated he believes why the quote is so low is because they are going to salvage those vehicles. Councilman Antonelli stated we had a problem the last time. John Cashin stated there are 10 to 12 vehicles there that he suggested to Mr. Wilkins to take care of himself. Councilman Antonelli stated the person has to keep the cars a certain amount of time to clear the titles. Councilman Carlson stated if we put the proposal based on the entire project and we go in and start pulling things out it would change the bid. They are looking at it as a whole. If we change the product we are changing the rules as we go along. We should leave it as is. Councilman Antonelli stated all the bids are different. Councilman Carlson stated it is their responsibility to fix based on the specifications of the Code Officer and the bid. Councilman Antonelli asked how John made the bid. Were there specs he came up with or was it verbal? John stated it was to remove all the debris but Mr. Wilkins can keep his firewood and move it to the back of the lot. Councilman Antonelli stated when you told the contractors how was it told, verbally? John stated he told them they can come in with removing the vehicles themselves or as a line item. Councilman Antonelli stated when you go out for bid it has to be spelled out so everyone bids the same way. Supervisor Leggio asked who wants the cars. John stated two bids. Councilman Carlson asked if one was the low bidder. John stated he wasn't going to take the cars. He was going to work with Post Bros. to remove them. Councilman Lennon asked if we

wrote up a scope of work and if they are bidding on apples not oranges and if the price of the bid falls within the procurement policy.

John stated from \$3,000 to \$10,000 he needs three written bids and under \$3,000 it is an oral bid which he thought he was at until the paperwork came in. Councilman Antonelli stated we still need you to write up the specs and everyone bids on the same thing. When you look at the bids, one is supplying so many dumpsters and some don't want the cars and some are doing it another way. It has to be spelt out. John stated he can redo a request for a proposal. Councilman Lennon asked if we did a title search on all the vehicles. Councilman Antonelli stated that is not our responsibility. John stated they have to take them to a dismantler who takes care of that. Councilman Carlson stated this has been a long time coming but we should make sure we do it correctly. Supervisor Leggio asked for a motion.

RESOLUTION # 51-2012

REMOVAL OF JUNK AT
EDDIE WILKINS PROPERTY

Councilman Carlson, presented the following for consideration and adoption,

WHEREAS, existing violations of the Code of the Town of Catskill-Junk, Chapter 15, Article 2, Section 115-19, exist at 48 Church St., Leeds, NY, Tax Map # 138.06-5-1, and

WHEREAS, an Order to remedy # 158-2011 was issued by the Code Enforcement Office and has not been compiled with, and

WHEREAS, a Public Hearing #2-2012 was held on March 6, 2012 at 6:15 pm at Catskill Town Hall, 439-441 Main Street, Catskill NY to hear comments and concerns on the aforementioned property, and

WHEREAS, the violations continue to exits, so

THEREFORE WE, the Catskill Town Board, will authorize a business, yet to be named, to remove said violations and costs to be assessed to the property tax roll for the 2012 taxable year.

Councilman Antonelli seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Leggio mentioned a memo from the Assessor's office regarding Carol attending a class for training.

RESOLUTION #52-2012

AUTHORIZE CAROL KENYAN
ATTEND ASSESSOR'S CLASS

Councilman Lennon presented the following for consideration and adoption,

WHEREAS, the Catskill Town Board has received a request from Carol Kenyan to attend the Appraisal Principles & Procedures class at Cornell University July 16 through July 20; and

WHEREAS, Carol works as a full time clerk to the Assessor with the Town of Catskill and is working toward her certification to become an Assistant Assessor; so

THEREFORE WE, the Catskill Town Board hereby approve Carol attending the class at Cornell University in the amount of \$1,200.

Councilman Walsh seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Leggio moved on to the Senior Center and the gentleman who wanted to talk to the board regarding the community garden. Matt Bua approached the board regarding the project. Last year he was approached to embellish a fence to make it look nicer. Nancy Richards stated to him that she didn't want a fence but an open air classroom near the picnic tables. He presented it to the Village. They liked the idea. He spoke with Ann Marie at the Senior Center and her main concern was that the garden wasn't even where she wanted it and she didn't want to take up any more space and to talk to Joe Leggio. They had a brief conversation. There was some confusion as to whether it was Town or Village property. It is Town property. The idea of parking spaces and Irving School turning into apartments came up. He presented a map as to where the project would be. He stated it would be moveable furniture. He stated we may build more garden beds and some moveable two person seats and a better compost system. It is a collaborative project.

Councilman Antonelli stated there is no room to put what he wants there and most likely by next year it will have to be removed. Part of the land is owned by the people who bought Irving School. He stated you will need to have room for the people to back up and put exits in. Supervisor Leggio asked if the things Matt was proposing are not permanent fixtures. Matt stated yes. Everything can be broken down next year if the garden needs to move. Councilman Antonelli stated the Village owns 2 acres there. Matt stated where the nature path is. Councilman Antonelli stated there is not enough room when all the cars will be there and the bank is utilizing those 26 spaces.

Supervisor Leggio stated we should all meet at the Senior Center and review the project. He stated it is hard to visualize what is going on on a piece of paper. A meeting was scheduled for Friday at 4 pm.

Supervisor Leggio mentioned Landon Avenue and no parking for emergency vehicles. He stated the paperwork is being reviewed by the attorney and it will be dealt with later.

Supervisor Leggio mentioned the time clocks. They are working with the Comptroller's office to input the information. It will take some time to put into the computers. Letters are going out to update employee information.

Supervisor Leggio mentioned a letter from American Legion to set up a meeting for use of the Babe Ruth field. Liz is to schedule a meeting.

Councilman Lennon mentioned Gabe Newkirk wants to use the field for an Elks fundraiser on July 7th. This will be an all day event. He spoke with Mr. DuPont to see if the field will be available.

Supervisor Leggio mentioned a letter from GCCA regarding the Sprouts program.

RESOLUTION # 50-2012

AGREEMENT BETWEEN THE TOWN OF
CATSKILL AND GREENE COUNTY
COUNCIL OF THE ARTS

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town of Catskill wishes to enter into an agreement with the Greene County Council on the Arts, regarding community-centered events, "Sprouts" program for the Summer of 2012 and the annual Youth Arts Exhibit for Spring 2012, and

WHEREAS, it is understood that the relationship created by this agreement shall be of independent contractor and contractee, and

WHEREAS, the Town of Catskill has agreed to supplement funding for these events by providing \$1,000.00 to the GCCA to be used for these activities, and

WHEREAS, each signatory to the agreement understands the terms outlined and agree to execute their responsibilities, so

THEREFORE WE, the Catskill Town Board hereby authorize the Supervisor to sign the

aforementioned agreement with the Greene County Council on the Arts.

Councilman Walsh seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Councilman Carlson wanted clarification on the Sprouts program. Supervisor Leggio stated it is the youth arts program that the town has sponsored every year.

Councilman Lennon mentioned the memo sent to Ann Marie and the standard work schedule and flexible work schedule. He asked if this is directed just to the Senior Center or if it is town wide. Supervisor Leggio stated human resource sent this and it is something the past supervisor did but it was never implemented. A copy was made for everyone so we could discuss it. Councilman Lennon asked that a memo be sent back to Ronni to revisit and update and make sure it is a town wide policy.

Councilman Lennon mentioned the memo from Code for a public hearing regarding the Frascello property. John stated it will be before the May meeting. Ed had given him two weeks. The paperwork is complete.

Supervisor Leggio asked if anyone had any public comment. Leland Miller addressed the board regarding his business in Leeds. He stated an individual had been charged with illegally dumping into the sewer system in Leeds. As a result of that DEC has taken what he considers unfair tactics in an attempt to force businesses and community members to put pressure on the Town of Catskill to implement the sewer system. This had taken place approximately 3 years ago where Mr. Malcolm from DEC told him that was his intent. Mr. Miller stated Mr. Walsh was on the board at that time when DOH came down as well as representatives from other agencies to discuss the need for septic in the Hamlet of Leeds. He stated they were promised at that time through various meetings that it would be evaluated. There was money set aside for Delaware Engineering. There were a few proposed plans and we were assured it would be followed up on and it wasn't. As a result of the allegations made from the individual dumping, he received a letter from DEC, a notice of violation. He stated they are unfairly attempting to shut him down. They have a whole list of people in the community who are or who they know of being in violation. They can attack the businesses in town. DOH as well as Mr. Cashin was at his property and he passed the dye test from DOH. DOH wants nothing to do with his restaurant and shutting him down. This is all DEC. They stated Mr. Cashin had sited him for a code violation which is an out and out lie. He was never cited. He has hired an engineer who is present tonight and what he is looking for from the board is a firm commitment. He stated Leeds will become a ghost town. There are several businesses targeted by DEC. He and other businesses need and are looking for a commitment.

Supervisor Leggio stated we had a conversation and we have hired Delaware Engineering to do the first part of the feasibility and design work to get the project going. Mr. Miller stated we were promised that last time. Supervisor Leggio stated he knows and the last time the IDA at the time promised money as well as a bunch of other people for the study and the money never came through. Councilman Carlson stated we had a meeting last night with bond counsel regarding Leeds sewer. Supervisor Leggio stated we are doing whatever we can. We cannot control what DEC does. Supervisor Leggio stated Darrin from Kaaterskill spoke with John Brust as did himself and he relayed to him what was told to him yesterday regarding a letter being sent to the Governor. He stated we are not looking to tick anyone off but we don't want the businesses shut down or the people harassed. He stated he doesn't want to open a can of worms and then they will get upset and target us. Mr. Miller stated that is what they are doing. Supervisor Leggio stated the input from Mr. Brust was that he will set up a meeting with the people from DEC and a couple of board members will attend. Mr. Miller stated he contacted Senator Seward's office as well as Peter Lopez's office and the belief is we will have a meeting with the Governor and express our concerns about DEC and how unfair they are. They are judge, jury and executioner. He was cleared by DOH and they don't want to accept it. The dye test passed after their allegations. There is nothing there. They are taking the word of an individual who is dumping into the storm drain along with, it's his fault not it's my fault, and the whole community pointing fingers. He stated to resolve this is to put a system in or make everyone comply. Not selective enforcement. There is no standing water. They don't want to hear anything.

Dave Brockway stated the letter is a little disturbing because he knows the board will support and do everything for the people in Leeds but more so to support your Code Enforcement Officer. He asked John to make a statement as to whether or not he made that statement and did this in fact happen as DEC is claiming in the letter. John stated he did not write any citations nor would he write a citation without a successful dye test. Mr. Brockway stated this is a very fair answer and he would like to know why DEC can name someone in a letter with a violation attached using the Code Enforcement Officer for the Town of Catskill. They are attacking his integrity and the Town Board's integrity by saying he said something and it is a lie.

Mr. Miller stated that is all in the response letter to the Governor's office. He stated DEC is acting independently from other state agencies, other municipalities, and this is the way it is and to handle it. He stated what they are asking him to do will put him out of business. To immediately cap off his system and pump and haul on a daily basis at \$600 a day; he will not be in business. He has people who work for him. They will be at of business. The bank will end up back with the building. If we as a community allow DEC to do this there will be a lot of other targets. He stated his attorney FOIL'd information from DEC and there are a lot of names in the community on it.

Supervisor Leggio stated he can't speak on why they are doing what they are doing. Darrin stated the violation that was sent out was a statement John made which he is saying is not the case and the second being a visual observation from someone from DEC who totally neglected that it passed the DOH dye test. There doesn't seem to be a lot of justification. They have asked for a schedule of compliance that ends with a constructed system by August 1st which is unrealistic even if we started right away but that is not our intention as we are challenging the violation. There are lot of pressures being brought to bear on Lee as an individual and coming from Leeds and knows the Town is in the businesses corner and we are here to stress how much of a problem it is and hope we can come up with a solution.

Councilman Lennon mentioned how he grew up in Leeds and there are a lot of violations in that area and they should not single out one individual. One person violated the law and he should go according to the statutes for that aspect. To single out one individual when you have massive people in the area having a problem with their septic systems; the town board needs to not only move forward by needing to make a commitment with the infrastructure. We have a lot of potential growth by putting in a sewer system and whatever means, a plant in Leeds or moving into the Village of Catskill. We need a clear path in the direction the town board needs to go with to provide the services we need to provide to our taxpayers to move the Hamlet of Leeds in a positive direction and he is fully committed behind them.

Councilman Antonelli stated Leeds cannot support a system. The Comptroller's office would not allow it as they have a dollar amount the taxpayers can pay. We need to pick up the homes in Jefferson. It would open the whole quarter of land, Winters, Carls etc. We are all committed. We need to do something out there. We need all the people to keep the cost down or it won't work.

Leland Miller is looking for the board's support because he is going to fight DEC. They are in essence attacking the board without coming to them directly. Supervisor Leggio stated the first of the year if they knew something was so bad out there they should have come down the first of the year telling us to make a concentrated effort or we are going to come down on people. He stated the newspaper ran the thing that we are hiring the engineer and two days later they are out there arresting people and sending you a letter a few days later. He stated we jump through hoops to finally move forward and we get knocked right back down again. He stated we contacted John today and his feeling is we should collectively as a board put positive pressure back on DEC. The consensus needed from the board is how tough should we be. Councilman Lennon stated we should contact the town attorney and the code officer as they put a false statement in their letter, we should send a letter back to them to protect the liability of the Town of Catskill. Councilman Carlson stated his experience with the State agencies as they see themselves as the experts and they don't feel it is necessary for them to give notification or approval or anything with any of us because they know best for all of us, whether that be law

enforcement agencies, correctional agencies. The State in generally sees us as the red headed step child and it is their responsibility to show us the way as we are not intelligent enough to do it on our own. Mr. Miller states this comes down to a monetary issue as he is not allowed to appear before a board. He is trying to get in front of an administrative law judge. They are not allowing him to challenge this. He is a judge in a local community and criminals have more right. He was accused, convicted and sentenced without a trial. He stated he is not the only one as there will be more coming. Councilman Carlson stated he supports him.

Billy Walsh asked if there is something the Town can get involved in, pumping grey water and taking it down to the Village. Councilman Lennon stated we would have to look at the capability of the Village. Mr. Walsh stated if you just walk anywhere in Leeds you can smell the sewage.

Mr. Nickolitch wanted all to know, as Cementon has been through this exact process that you need to work together as a community in order to fix this problem.

Supervisor Leggio stated we are all on the same page. He stated he will get a hold of the town attorney tomorrow. He doesn't mind putting pressure on someone but he doesn't want to say something he is going to regret either. Mr. Miller stated when he goes to the Governor's office he wants to say to him he has the support of the Town. Supervisor Leggio stated he believes you have the full commitment of the board.

Supervisor Leggio asked if anyone else had anything to bring before the board. Councilman Lennon asked if all the board members saw the sign for the field and if everyone was satisfied. Councilman Antonelli looked at where it will be and you may not be able to see the cars but he doesn't have a problem with the sign. Councilman Lennon stated American Legion donated the flagpole. Supervisor Leggio stated there is a huge piece of bluestone there and it would be a nice sign sandblasted with Ricky Cramer Field for top of the hill and put the other closer to the field. Councilman Lennon stated the stone was to be used as a memorial for everyone who has done work there.

RESOLUTION #53-2012

ACCEPT SIGN FOR RICKY
CRAMER FIELD

Councilman Lennon presented the following for consideration and adoption,

WHEREAS, a new sign needs to be erected for the Ricky Cramer Field; and

WHEREAS, the sign will state the home of the Catskill Little League and the Catskill School District; and

WHEREAS, the sign is being proposed by the Catskill Little League; so

THEREFORE WE, the Catskill Town Board hereby accept the proposed sign for the Ricky Cramer Field.

Councilman Antonelli seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

With no further business a motion to adjourn the meeting was made by Councilman Carlson and seconded by Councilman Walsh. Meeting ended 7:50 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk