

CATSKILL TOWN BOARD COMMITTEE MEETING

May 20, 2015

The Town Board of the Town of Catskill held their committee meeting on Wednesday, May 20, 2015 at 6:30 pm at Town Hall. The meeting was opened with a moment of silence and the Pledge of Allegiance. The Supervisor thanked all for attending. The following members were present:

Joseph Leggio, Supervisor
Robert Antonelli, Councilman
Pat Walsh, Councilman
Gary Carlson, Councilman
Jared Giordiano, Councilman
Also Attending: Michael Smith, Town Attorney

SUPERVISOR'S COMMENTS:

First order of business is the 284 agreement. Patrick McCulloch stated Peckham gave him a new quote including the roads High Falls Rd & Ext., Under Hill Rd., Foster Rd., Stonybrook Rd & Ext., and Vosenkill Rd. The Town rolled over \$65,000+/- in CHIPS money and we were awarded \$191,000+/- for 2015. We have extreme weather recover money rolled over from 2014 in the amount of \$5,000 +/- and received \$28,000 +/- for 2015. The Total CHIPS budget is \$290,000+/- . With the balance of the CHIPS money they plan on black topping Manorkill, Rabbit Lane, Long Alley and Hideaway.

Supervisor Leggio asked how we stand on equipment and if we are ready to put stuff on the auction block. Mr. Ormerod stated he is meeting with Councilman Antonelli to address.

Supervisor Leggio asked about the fuel tanks and if they can be listed as surplus. Mr. McCulloch stated we need to remove them from our DEC permit and then we can scrap them.

Councilman Walsh asked if there was an estimate on equipment rental for the road work. Mr. McCulloch stated the rental is added at the end and there is a minimum usage of eight hours. The work should take a week and a half to do.

Supervisor Leggio asked for a motion to rescind the resolution approving the 284 agreement and accept the new 284 agreement. *Resolution # 50-2015 with motion by Councilman Antonelli second by Councilman Giordiano to rescind Resolution #40-2015(284 agreement) and accept the new 284 agreement. Adopted 5 Yes*

Supervisor Leggio mentioned the proposal for Teledoc. This is an on-call doctor who then prescribes medications without going to emergency. Mr. Smith reviewed the contract and he is not happy with the terms. We will put this on hold until the first of the year.

CONTUINING BUSINESS:

Hunt Treadwell from Delaware Engineering presented the proposal from Aztec Technologies for additional soil boring to help find out where the pump stations can be placed. *Resolution #51-2015 with motion by Councilman Antonelli second by Councilman Carlson authorizing Aztec Technologies perform the needed test boring in the amount of \$14,576.25. Adopted 5 Yes*

Mr. Treadwell stated he met with the property owners in Jefferson Heights for the pump station and there is definite progress.

Supervisor Leggio stated we have a resolution to accept the dedication by Greene County for the transfer of the county owned sewer line in Jefferson Heights. *Resolution # 52-2015 with motion by Councilman Antonelli second by Councilman Giordiano to accept the dedication by Greene County for the transfer of the Greene County owned sewer line in Jefferson Heights. Adopted 5 Yes*

Supervisor Leggio stated we need to schedule a public hearing for proposed Local Laws 4, 5, and 6 assessing unpaid building fines as a lien against real property. The board members were presented with the proposed local laws. *Resolution # 53-2015 with motion by Councilman Giordiano second by Councilman Walsh to schedule a public hearing for proposed local laws 4, 5, and 6 for Tuesday, June 2, 2015 at 6:00 pm at Catskill Town Hall. Adopted 5 Yes*

NEW BUSINESS:

Supervisor Leggio stated we recently hired four part-time students for summer help at the Highway Department. The Cemetery was looking for a person to do computer data. The recommendation is to hire Alexandra Ray for twenty hours a week on a part-time basis. *Resolution #54-2015 with motion by Councilman Antonelli second by Councilman Carlson to hire Alexandra Ray on a part-time basis, 20 hours a week, effective May 25, 2015 for computer data work at the Cemetery Department. Adopted 5 Yes*

Supervisor Leggio stated there will be a meeting at the Palenville Fire House for discussion of parking issues, graffiti in the hamlet. Crane Davis stated the reason this has come up was the discussion of a turn-a-round at the end of Malden for hikers. The space is not large enough for parking or a turn-a-round. Supervisor Leggio stated the foreman on the bridge project spoke about clearing a path through there to aid hikers.

PUBLIC COMMENT:

Stella Martin approached the board. Supervisor Leggio stated he has read the information she has sent and is not sure what we can do for you. The Town Board is not ignoring you but there is a process to follow. The Code Office contacted DEC and the Board of Health and it is not our responsibility to investigate as it is theirs. He wishes to hear what you have to say but does not want to get into an argumentative session.

Ms. Martin stated this has been going on for three years. She stated the permit he had was only to ditch mulch. The CEO has videos of tractor trailers dumping stuff at three, four in the morning and pushing the fill past his area. She has spoken with the Department of State.

Supervisor Leggio stated we do not regulate Mr. Edward's business. Ms. Martin stated you cannot mulch construction debris. Supervisor Leggio stated if you feel the CEO hasn't done his job, then send a letter to the board. Ms. Martin stated she is asking for a proper investigation into this matter. She is making her home and property better. Businesses are impacted as we depend on tourism and if you look up Palenville, you will see neglect. She has spoken with politicians for three years. Supervisor Leggio stated his first contact with this issue was in December of last year. Councilman Carlson stated it was brought to his attention in early December, January and it was brought to Code's attention in January. He indicated things were forwarded to DOH/DEC who are the experts. Upon checking with DEC we were under the impression they did an investigation as lead agent. Permits were filed and they were looking to see if there was a violation of those permits. We have not heard back from DEC how they are handling this. Are you asking us to investigate Mr. Edwards or our CEO to see if he did his job? It is beyond our scope to investigate Mr. Edwards and that is referred to DEC/DOH but we can investigate our CEO to see if he acted properly.

Ms. Martin stated her letter is requesting the CEO be investigated. It has been three years. People are neglecting what is going on out there. There is a huge shaker out there creating dust. He has gone over his 250 yard property. She stated her seven year old is choking on dust to save Mr. Edwards water. She stated she has called everyone; every legislator on the list. Mr. Lawrence was the only one who came out and saw it. She pays taxes; she is making a home for her family. She is disgusted that this is harming her children to save Mr. Edwards water.

Supervisor Leggio asked her what she would like us to do. Ms. Martin stated to do right by the law. Supervisor Leggio stated DEC and DOH are in charge of. They have said there are no issues. Ms. Martin stated there are TOC responsibilities that could have helped them. If we helped it would not be where it is now.

Supervisor Leggio he spoke with the CEO the first time about this in January and told him to go out there. Three days later he was at Mr. Edwards' property and we told him to go to your property. His follow up reply was all the agencies forwarded that there were no issues.

Ms. Martin stated she has been notifying us for three years. Supervisor Leggio stated not him. Ms. Martin stated all three of them have contacted individuals in the town.

Mr. Roland Hackett stated he contacted DEC and they say it is a town issue. CEO says it is a DEC issue. This has been going on back and forth. CEO was out there. There are big mounds along his property line. DEC said to move from the wetland because it can't leech into the wetland and he moved and now DEC says it is a zoning issue. He stated it is up to his door. Supervisor Leggio stated CEO is not doing his job and asked if he is ignoring you. Mr. Hackett stated apparently so. Mr. Hackett stated he was on the property a week ago and he has tried for two years to get him there. Mr. Hackett stated he has filled in more than one acre of land and he still says it is a DEC issue. DEC says it is a town issue. If DEC gave a permit there should have been a hearing. Supervisor Leggio stated DEC is ignoring you also. Mr. Hackett stated yes and it is frustrating.

Supervisor Leggio stated there are channels to go through. If you were not receiving results from the CEO it should have been brought to our attention earlier. DEC did say they couldn't discuss as it was in their legal department.

Ms. Martin stated no one has said sorry for our children. Two people came out; Lawrence and Lopez.

Supervisor Leggio stated the test results said they are within acceptable limits. One window has lead. DEC sent an email Monday saying it was within acceptable limits. Ms. Martin stated DEC did not investigate the lead. It is the EPA. Supervisor Leggio stated the letter sent back from the DEC states the water levels are within acceptable limits. Ms. Martin stated it was neglect as no one bothered to ask them, the families that live there. Everyone stated this was a junkyard and we new what we bought. This is new debris. Tractor trailers being brought in at 3-4 in the morning.

Councilman Carlson asked how we can help. Ms. Martin referred to Mr. Pugsley who read a letter. He is a family friend and has been involved and is aware of what has been going on. He stated DEC fined him (Edwards) and issued an order on consent. He stated people are alleging Stella Martin to be off the deep end. This was provided by a County Legislator. He understands similar rumors are being spread about the Hacketts. Their granddaughter was diagnosed with lead poisoning. There was no lead found in her parent's home. Stella Martin's children has had the same problems. She is a caring mother. On March 14th Fred Edwards blocked her

driveway. The GC Sheriff's office was called and they made him move the blockage. He stated we will meet with any board members to visit the area. Captain Jacoby threatened Stella if she kept calling stating he will have her locked up. The TOC is now involved. The TOC has been taking leaves and debris to Fred Edwards's property when they have a brush dump on Five Mile Woods Road. Mr. Edwards's property is loaded with plastic garbage bags. The coincidences are not coincidences.

Ms. Martin showed a video of dust on her property. Supervisor Leggio asked what we could do. Ms. Martin stated she would like the CEO investigated. DEC and DOH have not done their job. In her letter she is requesting the CEO be investigated.

Councilman Carlson stated it will be addressed with CEO when he was notified and the steps he has done to help you. We will compare notes and go from there.

Ms. Martin stated precautions need to be taken with quarries. When she first moved there it wasn't like this. His property has grown and grown and grown.

Councilman Carlson stated you have passionately provided quite a bit of information. We are limited in our abilities depending upon the department. He personally apologizes that he didn't reach out as an individual and is aware by your correspondence a lot of agencies are involved. Ms. Martin stated there is pain and harm being caused to her home and children.

Mr. Smith stated you have expressed something the board should be very concerned about. His first recommendation is the board does a personal inspection of your property and the second suggestion is the board request from the CEO a memo concerning what activities he has done with connection to the issues brought before him and EPA, DEC, and DOH correspondence with those agencies concerning the issues and what those agencies have responded with in terms of their investigation and conclusions. The third is for him to report and make an oral presentation to the board. If he hasn't done his job it will be addressed.

Tina Marsette lives on the west side of Fred Edwards Trucking. Over the years Renee has been complaining to her family about the situation, her husband had concerns. We went to the CEO, made phone calls, and he never came out to the property. The Assessor came out and lowered our taxes because of what Edwards did. She knows Fred, likes his family, and is not here to sue them or the town or anyone else but just wants answers. The debris is filled almost to her front door. There is no permit from DEC. They have had health issues. Their grandson, not granddaughter, had tested positive for lead. They hired a company to monitor the air quality and water for a two year period. They will also be testing the soil. She lives in a peaceful area and shouldn't have to breathe dust. With the consent order going into effect, there have been huge piles of mulch in their driveway and it is not called for. She called the CEO and is sick and tired

and someone needs to figure out what is going on out there. DEC says it is a code issue, code says it is DEC. She doesn't want her family sick or her well contaminated.

Supervisor Leggio stated your point is well taken. We are not ignoring you. We ask you put together a chronological time line. Tomorrow we will go to the CEO and get a detailed report. Please email to the Town Clerk or any board members or drop off at Town Hall the report as it will not be resolved tonight.

Supervisor Leggio asked if anyone had any other comment. Patrick McCulloch stated Saturday is the Memorial 100 Run in honor of the Veterans in Iraq. They will be running down 9W.

Supervisor Leggio stated the Memorial Day Parade will be Monday at 4 pm where Civil War Veterans will be honored.

With no further comment, a motion to enter into executive session was made by Councilman Giordiano second by Councilman Carlson. No further business will be conducted. Executive session began at 7:47 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk

Per Supervisor Leggio, executive session and meeting ended at 8:10 pm.