

CATSKILL TOWN BOARD COMMITTEE MEETING

July 15, 2015

The Town Board of the Town of Catskill held their committee meeting Wednesday, July 15th at 6:30 pm at Town Hall. The meeting was opened with a moment of silent prayer and the Pledge of Allegiance. The following members were present:

Supervisor Joseph Leggio
Councilman Robert Antonelli
Councilman Pat Walsh
Councilman Gary Carlson
Councilman Jared Giordiano

Also Attending: Town Attorney Michael Smith

Supervisor Leggio asked for a motion to enter into executive session to discuss a personnel issue; motion by Councilman Antonelli second by Councilman Walsh with executive session beginning at 6:31 pm. Motion to exit executive session was made by Councilman Antonelli second by Councilman Giordiano at 6:52 pm and the regular meeting continued.

PRIVILEGE OF THE FLOOR

Mr. Seeley advised the town board Senator Amedore will be in the Village tomorrow at 11 am for a walking tour.

Alan Tavenner from Delaware Engineering gave an update regarding the Leeds Sewer District. There is a new grant opportunity due September 4th which they are working on. There are six pump stations in total and the plans will be sent to the DOH and the property owners by the end of the month. A retaining wall will need to be built in Austin Acres for one of the pump stations. They are ninety percent done with the design of the collection system. There are easements which need to be addressed. He believes an eminent domain process will need to be started for three of them. There are fourteen no responses and he stated a letter should be sent and after that, knock on doors. Ten people have agreed but never sent in their paperwork. Six have been revised and we are awaiting their paperwork to be returned. The sewer use law will need to be done and the issue of ownership of the grinder pumps will have to be decided.

Supervisor Leggio asked Mr. Fishman for an update on the Edward's property. Mr. Fishman stated County Law 4 of 1988 states any property owner having construction and demolition debris needs a permit from the County Administrator. A meeting will be scheduled with the County Administrator to inform them of the situation and to ask to investigate. It is not a town enforcement option for us.

Mr. Smith stated the law provides protection to the County where the waste material is deposited. It requires a business engaged to submit an application to the County Administrator. If there is a violation there are civil and criminal penalties. If the law is not enforced, it is turned over to the County Attorney. Mr. Fishman and himself will meet with the County Attorney and advise him of the issues and request an investigation.

Councilman Antonelli stated the ambulance building needs a new server. He has spoken with George and the quote from our IT is \$798 for an 8TB network attached storage to be used in replacement of the existing network server. *Resolution # 77-2015 with motion by Councilman Antonelli second by Councilman Giordiano to replace the network server at the Ambulance Building with an 8TB network attached storage in the amount of \$798.00. Vote: Adopted 4 Yes 1 No (Carlson)*

Supervisor Leggio stated REMO has approved the TOC move forward to an ALS level service. The Ambulance Administrator will start to gear up so we can have ALS service in-house. This means residents will have more service at a better price.

PUBLIC COMMENT

Jill Burkholder approached the board regarding the installation of a sidewalk in Palenville. A petition was submitted last March and she is formally asking the board to look at the options of funding the 20% of the project.

Crane Davis stated the State has said 80% is available with the town funding 20% or \$80,000. The highway in Palenville is our Main Street. Everyone walks in the road bed and we expect more traffic with Dollar General. We are asking the town to come up with the 20%.

Supervisor Leggio stated we will need to find out how to fund the 20% through the town. Will it be just the property owners who pay for sidewalks? We will have to go through the process. If there is a lesser amount of people to pay it is a greater burden. If the \$80,000 is attributable to in-kind services, we will need to find that out. Crane Davis stated whatever we can do to assist we would appreciate it.

Jesse McEachern and Shawn Stock approached the board regarding the possibility of having music festivals at the old Game Farm. It was brought before the Planning Board and it was their recommendation to talk to the Town Board.

Supervisor Leggio asked if they had a chance to speak with Mr. Fishman. Supervisor Leggio stated he is unsure as they are not the property holders. First is to speak with the Code Enforcement Office. He asked Mr. Izzo if he had any insight for them.

Mr. Izzo stated the Planning Board is unsure of the process we need to go through for mass gathering. The Town Board issues licenses and permits. The town does not have a mass gathering law but NYS does. The Planning Board had sent a letter to the Town Board asking what authority they have in this matter. If it is a site plan, the Planning Board will do but they do not issue permits.

Mr. Smith advised them to seek counsel for legal advice on how to proceed. Mr. McEachern stated they are in the process of interviewing attorneys. He stated he will speak with Mr. Fishman and go from there.

Martina Messette lives next to the property of Fred Edwards. She asked how the board addressed the issue after receiving the State Attorney General letter. She stated she has been awoken at 7 am by trucks entering the Edward's property.

Councilman Carlson stated there is a misconception with the public regarding the Town Board's responsibilities as we represent the legislative body of government. The Town Board cannot investigate violations of law and bring before a judge. The CEO is looking into it. It was addressed at the beginning of the meeting.

Ms. Messette stated there is a noise issue. She was told by Renee Martin the issues were brought to the town, county and she has been told the local board, county attorney and county legislature not to speak to her. She has called the Sheriff's Department. They said to her they are aware of the situation and its nonsense and wouldn't take the complaint. If the Sheriff's Department won't take the complaint and the CEO after 2 years won't do anything...she wants to get some sleep. Tractor trailers are coming in and they are taking their plate numbers.

Councilman Carlson believes every legislative body knows what is happening out there. If there is no satisfaction with the Deputy, Sergeant or Lieutenant, call the Sheriff himself.

Ms. Messette asked the CEO if he visited the property. Mr. Fishman stated he phoned Ms. Martin and asked to meet and she hasn't gotten back to him. He met with Mr. Hackett at the Edwards site today. She wished to schedule an appointment. She doesn't believe we would be in this situation if it was inspected and if the town didn't, then the town is libel. She is aggravated at the whole situation and is at her breaking point to start to file lawsuits.

Mr. Fishman stated he cannot speak to the previous CEO but he met with your husband the first week on the job. She appreciated Mr. Fishman coming out but stated to the Supervisor she would have appreciated him coming out.

Supervisor Leggio stated no one knew about the issue until this past January. That was the first time he heard about it. He had a conversation with the CEO and the employee did his job as he sees fit. Ms. Martin was called. If things aren't happening fast enough, or it doesn't seem we don't care, that isn't the case. It is a long process and we are trying to listen to everyone's needs. We are not minimizing your concerns but we are trying to deal with it and move forward in the process.

Jennifer Gerard wished the board to look into a more solid noise ordinance. The noise across the creek...the Sheriff has been called. If the noise ordinance had more teeth, the responding officers could respond.

Councilman Carlson stated the noise ordinance requires a violation of a decibel level. Even though the town gave the Sheriff and State Police a machine, it has been stated they cannot find them. There is reluctance to engage in enforcement of a town ordinance however, there is a disorderly conduct complaint which relies on the complainant making what is almost like a citizen's arrest.

Supervisor Leggio stated equipment shouldn't be used after hours. We are talking about a chronic offender. The law will be revisited.

Supervisor Leggio stated road signs in Palenville along the creek have been disappearing. Mr. McCulloch stated they will put more up. A local law will be looked into regarding parking and signs out there.

With no further comment a motion to adjourn the meeting was made by Councilman Antonelli second by Councilman Carlson. Meeting ended 8:07 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk