

Catskill Town Board Committee Meeting
Catskill Town Hall
September 17, 2008 6:30 pm

Attendance: Peter Markou, Supervisor
Robert Antonelli, Councilman
Lewis O'Connor, Councilman
Patrick Walsh, Councilman
Michael Smith, Councilman
Elizabeth Izzo, Town Clerk

Also Attending: Linda Speckman, Code Enforcement Officer

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

Supervisor Markou reviewed the following resolutions:

RESOLUTION # 110-2008

AMBULANCE BUILDING
SIDEWALK ADDITION

Councilman Antonelli, presented the following for consideration and adoption,

WHEREAS, the Town of Catskill solicited quotes for the replacement of the sidewalks at the Ambulance Building and accepted the proposal from KZ Concrete Flatwork, and

WHEREAS, the Town Board, wanting to be in conformity with the newly replaced sidewalks on West Bridge Street, had KZ Concrete Flatwork quote the additional work, and

WHEREAS, KZ Concrete Flatwork stated the additional work will cost \$1,800.00, so

THEREFORE WE, the Catskill Town Board hereby allow KZ Concrete Flatwork to have the sidewalk at the Ambulance Headquarters conform to the replaced sidewalks on West Bridge Street, with the additional amount of the project costing \$1,800.00.

Councilman Walsh, seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Passed

RESOLUTION #111-2008

2008 BUDGET AMENDMENT
FOR CEMENTON SEWER
DISTRICT

Councilman Antonelli, presented the following for consideration and adoption,

WHEREAS, the Cementon Sewer District User Fee for 2008 was budgeted at \$43,000,
and

WHEREAS, the Cementon Sewer District User Fee had an actual expenditure of \$53,000
due to increased costs, so

THEREFORE WE, the Catskill Town Board hereby approve increasing the budgeted
revenue by \$10,000 from \$43,000 to \$53,000.

Councilmen O'Connor/Smith, seconded this motion.

Ayes 5, Nays 0 Absent 0

Motion Carried

RESOLUTION # 112-2008

CATSKILL TOWN CLEAN UP DAY

Councilman Antonelli, presented the following for consideration and adoption,

WHEREAS, the Town of Catskill wishes to have a Town-Wide Clean-Up Day on
Saturday, October 11, 2008, from 7 am to 2:30 pm for Town of Catskill residents at the
Cauterskill Road site, so

THEREFORE WE, the Catskill Town Board hereby approve October 11, 2008 as Town
Clean-Up Day and authorize the Town Highway Superintendent to perform such clean-
up services, as he deems necessary, to complete the Town-Wide Clean-Up Day.

Councilman Walsh, seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou reviewed correspondence:

Email from the NYS Comptroller to all municipalities in the common retirement fund.
He is assuring that the retirement fund remains strong despite the recent financial
developments.

There will be a regional meeting of the NYS Homeland Security on October 15th
regarding grants.

The balance sheet and profit and loss statement from the Greene County Council of the Arts was submitted.

Letter from the Clerk/Treasurer of the Village of Catskill regarding the proposed extension of the South Cairo Water District. They have a request from a citizen to connect to the water district.

Councilman O'Connor stated that there are four or five houses on the North side of Cairo Junction for continuation of the water district, however, Bender Lane should be added too. This is up to the Town.

Supervisor Markou stated that this is something that will need further discussion.

Supervisor Markou polled the board for new business. Councilman O'Connor stated that the sidewalks in front of the Ambulance building will be started next week.

Councilman Antonelli stated that Mr. Beers, Highway Superintendent, has been prepping the area behind the Senior Center, with stone, for black top that will be placed next year. He also added two light poles.

Councilman Smith spoke about the proposed extension of the water district. He stated that the issue came before the board a year ago by David Brockway regarding a geographical issue and whether it should have been extended. Councilman Smith would like to know, in terms of extension of the district, if it is possible to get federal funding. He also stated that the citizens who raised the issue were to do testing of the water to determine if the water was contaminated. He stated that he does not believe that has been done. Councilman O'Connor concurred. Councilman Smith stated then the issue is whether the geographical perimeter, which was established the by Federal government, was broad enough and whether, based upon testing, the district should be extended. He believes that before we spend money, we should see if the superfund was incorrect in terms of its geographical application.

Councilman O'Connor stated that is fine. He stated however, that when the South Cairo water district was formed, the water was tested by the EPA. Currently there has been no testing. He states that Mr. Brockway approached the Village because his well is going dry. The aqua flow under the property is coming from south of Bender Lane towards American Thermostat. Councilman O'Connor does not state that American Thermostat is affecting the aqua flow, but it is possible, because of the amount of gallons that American Thermostat pumps out of the ground, purifies, and then returns, may be affecting the aqua flow. This may be why his (Brockway) well is going dry. It is up to the Town Board whether they would like to proceed with the work. The Village of Catskill would do the work. The Town of Catskill has the money for the engineering work. The Town could pay for the line because of the grant we received.

Councilman Antonelli asked if the water is contaminated or if it is dry. Councilman O'Connor stated that at this point in time, there has been no testing done, and the well is going dry.

Councilman Antonelli stated the Village was paid by the Federal Government or the State almost \$500,000 to establish those lines. Councilman O'Connor stated the way it was set up with Fraser & Associates, for the Town of Catskill, and a grant was received, was just for the users who use the water. Councilman Antonelli stated that when the Town applied for the grant it was for \$2.5 million with a zero percent interest rate. What we received was \$1.5 million with a 4.3/4% interest rate. This was to replace the lines in the area where they haven't been changed in years. Councilman O'Connor stated we have not proceeded with this. He would like to see the Town extend the water district. The Village would put the pipe in and anyone who would like to connect would pay the capital hook up fee. Councilman O'Connor stated he received a phone call from a different person on Bender Lane who would like to hook up and he said he could.

Councilman Antonelli asked what would be the Town's expense. Councilman O'Connor stated the Town would be adding onto the water district. Fraser and Associates a year and a half ago gave an average cost to extend the district at \$1,000. Councilman Antonelli wanted to confirm that that was the only expense the Town would have. Councilman O'Connor concurred yes because the Village of Catskill owns the water lines and this is why the Village could put the line in and charge the hook up fee. He stated though, to protect the rest of the people, if the water district was extended to just extend to Bender Lane. He stated the Town will be given a list of the people who are to be added to the district. Councilman O'Connor stated that the Village of Catskill has to guarantee the Town of Catskill water to those properties. Supervisor Markou stated that they would not have to hook up right away. They could wait until their wells run dry and then hook up. Councilman O'Connor stated exactly.

Councilman Antonelli reiterated that the only thing the Town would be paying for is to extend the water district. Supervisor Markou stated the legal fees to extend.

Councilman Antonelli stated that the Village should go to the Feds to see if they could get any money.

Councilman Smith stated that we haven't done any testing. What we are dealing with is someone's well going dry. The second issue is if the water is contaminated. This is a more important issue. It is not a Village or Town's responsibility to see if the water is contaminated. It should be a homeowner's responsibility. Councilman O'Connor stated it might be and it might not be. The Town and the EPA is the one who formed the district. The homeowner's at that time had the EPA test their water. The EPA paid the Village the capital hookup for all properties within the district.

Councilman Smith stated that apart from who pays, isn't it worthwhile to see if the people are drinking contaminated water. Councilman O'Connor stated that may be

something the Town would like to check out. Councilman O'Connor stated he would get the layout of the testing and expense for the Town Board.

Supervisor Markou stated to get an estimate. Councilman Antonelli stated that whoever tested the landfill can do it. Councilman O'Connor stated it needs to be a specific test.

Councilman Smith stated if there is contaminated water that exceeds beyond the geographical area that was established by the superfund, which David Brockway claimed a year and a half ago and there are residents of the Town who are drinking that water, then they are drinking contaminated water. The second issue is the limit that the Village water supply can supply to water districts.

Councilman O'Connor stated there is a safe yield in the Village's water system. If a person is in the water district, then the Village cannot turn off that person's water in case of a drought. If a person is not in the water district, then that person would be shut off in case of a drought. Councilman O'Connor stated this is in the rules and regulations of the Village of Catskill.

Councilman Smith asked what the safe yield is. Councilman O'Connor stated it is one million three safe yield. The Village uses approximately 800,000 gallons of water a day.

Councilman Smith stated that we should discuss this further in a government operations meeting but one of the things that we should figure out is if the residents have contaminated wells.

Supervisor Markou opened the meeting to public comment.

A member of the audience addressed the Board regarding a public hearing that was held in December of 2007 regarding the Fallik property and unregistered motor homes. He stated that the Board passed a resolution to have the motor homes removed.

Linda Speckman stated that the residents of Paradise Lake Road brought a civil suit against Mr. Fallik to remove the motor homes and won. Mr. Fallik is in violation of the court order.

Supervisor Markou stated that he believes it would be up to the Court to order or hire someone to clean it out.

The resident stated the following was for deed restrictions but his question is regarding the Town's ordinances and the zoning violation because he has unregistered motor vehicles.

Linda's understanding is that the Court already ordered them to be removed. Councilman Smith asked in connection with the violation of the court order what authority does the Town have in regards to removing the unregistered motor vehicles.

Linda stated we have the power to remove the vehicles. Councilman O'Connor stated that at that public hearing it was to remove all unregistered motor vehicles. Linda stated we had two separate hearings. One for the manufactured home and one for the junk vehicles.

Councilman Antonelli believes we need to wait for the judge to decide. The audience member asked why the civil action would take precedence. He stated that the Town's decision was in December and the civil procedure was in February. He is in violation of the Town's order.

Councilman Smith stated that from his point of view as an attorney, but he is not acting as an attorney here, the resolution is independent of any private civil action that was taken. The resolution of the Town is equally as effective as a judgment in a civil action. They are parallel and independent.

Supervisor Markou asked Ms. Speckman to call our attorney to see how we need to proceed since there has been a civil action. Once we get our attorney's opinion we will proceed with an action.

Supervisor Markou asked if anyone else would like to address the Board. With no further comment a motion, a motion was made by Councilman Antonelli and seconded by Councilman Walsh and O'Connor to end the meeting.

Meeting adjourned at 8:10 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk