

Town Board Committee Meeting
Catskill Town Hall
December 16, 2009

Attendance:	Peter Markou,	Supervisor
	Robert Antonelli,	Councilman
	Lewis O'Connor,	Councilman
	Patrick Walsh,	Councilman
	Michael Smith,	Councilman
	Elizabeth Izzo,	Town Clerk
	Nancy McCoy,	Town Assessor
	Matt Leibowitz,	Ambulance Administrator

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

Supervisor Markou reviewed the following resolution for passage:

RESOLUTION # 136-2009	TO AUTHORIZE PURCHASE OF BARIATRIC STRETCHER FOR AMBULANCE
-----------------------	--

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town of Catskill Ambulance Administrator has stated there is an increase in the number of obese patients being transported, and

WHEREAS, he feels a bariatric stretcher will better accommodate those patients and be beneficial to the staff helping those patients, and

WHEREAS, he has solicited two quotes as follows:

Stryker EMS Equipment	\$7,014.20
BoundTree Medical	\$7,428.50 so

THEREFORE WE, authorize the purchase of the bariatric stretcher to Stryker EMS Equipments not to exceed \$7,014.20.

Councilman Walsh seconded this motion.

Ayes	5,	Nays	0,	Absent	0	Motion Carried
------	----	------	----	--------	---	----------------

Supervisor Markou asked Nancy McCoy to speak regarding the assessment issue with Main Street Catskill, LLC. Nancy had stated this is in litigation. Supervisor Markou

asked for a motion to enter into executive session. A motion was made by Councilman Antonelli and seconded by Councilman Walsh. Executive session began at 6:32 pm. Motion to exit executive session made by Councilman Antonelli and seconded by Councilman Smith. Executive session ended at 6:37 pm.

The following resolutions were discussed and passed.

RESOLUTION # 137-2009

RESOLVED ASSESSMENT BETWEEN
TOWN OF CATSKILL AND MAIN
STREET CATSKILL, LLC

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, Main Street Catskill LLC and the Town of Catskill are desirous of having certain assessment issues resolved as to property owned by Main Street Catskill LLC in the Town of Catskill, and

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, Trial Counsel for the Town of Catskill, and reviewed by the Catskill Town Board at its regular monthly meeting, and

WHEREAS, such a proposed settlement would present the parties with an expeditious and economic alternative to further litigation so as to resolve issues between parties, and

WHEREAS, the Town Board has determined that the proposed settlement is in the best interests of the Town; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2009 tax certiorari proceeding filed by Main Street Catskill LLC in which the 2009 assessed value of the subject properties shall be revised as follows, consistent with the provisions of Real Property Tax Law:

Parcel	2009 Assessed Value	Revised Assessed Value
156.78-2-39	\$443,700	\$250,600
156.78-2-17	\$255,800	\$129,900
156.70-5-19	\$244,300	\$123,400
156.78-2-18.2	\$39,700	\$39,700

and it is further

RESOLVED, that Main Street Catskill LLC shall be entitled to a refund in excess taxes paid based upon the above revision, and that the assessment shall remain unchanged for the 2010, 2011, and 2012 assessment rolls, subject to Real Property Tax Law §727;

and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Main Street Catskill LLC and the Town of Catskill as to the above referenced assessments.

Councilman Smith seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

RESOLUTION #138-2009

APPOINTMENT OF HIGHWAY
MEO

Councilman Walsh presented the following for consideration and adoption,

WHEREAS, the Catskill Town Highway Superintendent needs to fill the position of a full-time MEO due to vacancies, and

WHEREAS, Alfie Beers, Highway Superintendent, has appointed Mark Mezzell to said position starting November 23, 2009, so

THEREFORE WE, the Catskill Town Board concur with the appointment of Mark Mezzell to the position of Highway MEO.

Councilman O'Connor seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou stated the Highway Superintendent is concerned about swine flu and if people are out because of that, he would be left short.

RESOLUTION #139-2009

APPOINTMENT OF HIGHWAY
MEO PER DIEM

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Catskill Town Highway Superintendent has been advised to hire per diem people in the wake of the Swine Flu Epidemic, and

WHEREAS, Alfie Beers, Highway Superintendent, has appointed James Whittaker to said position, so

THEREFORE WE, the Catskill Town Board concur with the appointment of James Whittaker to the position of Highway MEO per diem.

Councilman O'Connor seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

RESOLUTION #140-2009

PURCHASE SNOW PLOW
HIGHWAY

Councilman O'Connor presented the following for consideration and adoption,

WHEREAS, the Catskill Town Highway Department is in need of a snow plow for the winter season, and

WHEREAS, the Catskill Highway Superintendent has received a quote from Hudson River Truck & Trailer for an Everest OWSK-9H one way snowplow in the amount of \$6,245.00 (including delivery), and

WHEREAS, the Catskill Highway Superintendent intends to use money received from FEMA from the December 11th & 12th storms of 2008, so

THEREFORE WE, the Catskill Town Board hereby approve the purchase of this snow plow.

Councilman Smith seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou wants to set up a reserve account in the amount of \$100,000. Matt is in the process of bidding for a new ambulance. He would like to set up this reserve for future purchases.

Councilman Antonelli asked if this is to pay for the new ambulance. Supervisor Markou stated he would like to leave half in reserve and half for the new ambulance.

RESOLUTION #141-2009

ESTABLISH RESERVE ACCOUNT
FOR AMBULANCE VEHICLES &
EQUIPMENT

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the following reserve account needs to be established for funding of ambulance vehicles and equipment,

Ambulance Vehicle & Equipment Account \$100,000, so

THEREFORE WE, the Catskill Town Board hereby establish this account for the purchase of ambulance vehicles and equipment.

Councilman Smith seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

RESOLUTION #142-2009

TRANSFER OF GENERAL CEMETERY
REVENUE FUNDS TO CEMETERY
ACCOUNT

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the following transfers of funds need to be made,

A2192	Cemetery Charges	\$20,000 to:
8830001578	Cemetery Account	\$20,000, so

THEREFORE WE, the Catskill Town Board hereby authorize this transfer of money from account A2192 to 8830001578.

Councilman Walsh seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou stated the Board has the analysis from Delaware Engineering regarding the bids. Delaware Engineering made the recommendation after reviewing the bids that the lowest bid would be fine. Supervisor Markou stated that Joe has been servicing that area for awhile now.

RESOLUTION #143-2009

AWARD BID FOR IMPROVEMENTS
TO WASTEWATER TREATMENT
PLANT (CEMENTON)

Councilman O'Connor presented the following for consideration and adoption,

WHEREAS, the Town of Catskill has had four (4) bids received for the improvements to Cementon's wastewater treatment facility, they are as follows:

Arold Construction Co., Inc.	\$347,600
Grant Street Construction	\$369,000
Harkins Mechanical Construction	\$267,997
J. Myers Water Service	\$187,000

so therefore we accept the low bid from J. Myers Water Service for \$187,000, and

THEREFORE WE, the Catskill Town Board, award J. Myers Water Service the bid for the improvements to the Wastewater Treatment Facility (Cementon).

Councilman Walsh seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

RESOLUTION # 144-2009

WAGE SALARY STRUCTURE

Councilman Antonelli, presented the following for consideration and adoption,

WHEREAS, the Catskill Town Board had passed by resolution the Wage and Salary Administration Program for non-union employees, and

WHEREAS, the Town Board wishes to increase the salary structure for the year 2010 by 3%, so

THEREFORE WE, the Catskill Town Board hereby approve the changes to the salary structure (see attached schedule) for the year 2010.

Councilman Walsh seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou stated with the following resolution this is a change in the job description. He asked for this from HR. This position will be on a part-time basis with the hourly wage to be determined. This is a non-competitive civil service classification. It is his intent that the building in the back of Town Hall will hold the dog officer's office. He will have a Town issued cell phone. Councilman Antonelli stated we will need to buy equipment too.

Supervisor Markou stated the position was advertised. HR has looked at the applications that have been submitted.

RESOLUTION # 145-2009

CHANGE JOB DESCRIPTION
FOR DOG CONTROL OFFICER

Councilman Smith presented the following for consideration and adoption,

WHEREAS, the Town Board has found the need to change the employment status of the Dog Control Officer to part-time non-competitive, so

THEREFORE WE, the Catskill Town Board hereby change the employment status of the Dog Control Officer.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou has had discussion with the Comptroller that there may not be enough money in the budget to cover the meetings. Supervisor Markou sent a memo to the Chairs of the Planning and Zoning Board outlining the contents of the resolution.

RESOLUTION # 146-2009

AMENDMENT TO PLANNING
& ZONING BOARD MEETING
FEE

Councilman O'Connor presented the following for consideration and adoption,

WHEREAS, the meeting fee for the Planning and Zoning Board members has been \$25 per meeting, and

WHEREAS, the Town Board feels that this fee should be increased due to the extensiveness and lengthy time processing applicants' projects, so

THEREFORE WE, the Catskill Town Board hereby approve changing the fee to \$50 for a regularly scheduled meeting or special meeting, \$25 for a site visit, and \$25 for training.

Councilman Smith seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

RESOLUTION # 147-2009

MUNICIPAL CONSULTING
AGREEMENT-CLOUGH,
HARBOUR & ASSOCIATES LLP

Councilman Walsh presented the following for consideration and adoption,

WHEREAS, the Town of Catskill wishes to have a consulting agreement for engineering services for 2010, so

THEREFORE WE, the Catskill Town Board authorize the Town Supervisor to sign a Municipal Consulting Agreement for Engineering Services with Clough, Harbour, & Associates LLP, for the calendar year 2010.

Councilman O'Connor seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou stated the following resolutions are regarding the proposed Local Laws 3 and 4 of 2009 for the changes to the Subdivision and Streets and Sidewalks in the Town Code.

RESOLUTION # 148-2009

RESOLUTION DECLARING THAT THE
PROPOSED ADOPTION OF THE LOCAL
LAWS AMENDING CHAPTER 140 (SUB-
DIVISION OF LAND) AND CHAPTER
138 (STREETS & SIDEWALKS) WILL
HAVE NO SIGNIFICANT IMPACT ON
THE ENVIRONMENT

Councilman Walsh presented the following for consideration and adoption,

WHEREAS, the Town Board of the Town of Catskill adopted Local Law No. 1 of 2007 entitled "Town of Catskill Subdivision Regulations", codified as Chapter 140 of the Town Code; and

WHEREAS, the Town Board has undertaken a review of the Subdivision Regulations, created a Subdivision Task Force to provide input on recommendations for amendments to the Subdivision Regulations and requested similar input from the Town Planning Board; and

WHEREAS, the Subdivision Task Force conducted a public information session to discuss proposed amendments with the Planning Board and members of the public; and

WHEREAS, the Subdivision Task Force conducted several additional meetings to prepare and review proposed amendments to the Subdivision Regulations and has submitted to the Town Board a proposed local law amending both the Subdivision Regulations (Chapter 140) and the Streets and Sidewalks Law (Chapter 138); and

WHEREAS, the Town Board determined that the proposed local law amendments are subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA"), and that the amendments constitute an Unlisted Action and SEQRA; and

WHEREAS, on or about October 1, 2009, the Town Board referred the proposed amendments to the Greene County Planning Board, pursuant to General Municipal Law section 239-m and on October 1, 2009, the County Planning Board issued a no jurisdiction determination; and

WHEREAS, on November 3, 2009, the Town Board held a properly noticed public hearing on the proposed local law amendments, where the public had an opportunity to comment on the proposed local law amendments; and

WHEREAS, the Town Board carefully considered the environmental impacts associated with this action, including reviewing and evaluating the criteria for determining significance contained in 6 NYCRR § 617.7(c) and has set forth its determination of significance in a written reasoned elaboration, a copy of which is attached hereto and incorporated by reference herein; and

WHEREAS, the Town Board of the Town of Catskill adopted Local Law No. 1 of 2007 entitled “Town of Catskill Subdivision Regulations,” codified as Chapter 140 of the Town Code; and

WHEREAS, the Town Board has undertaken a review of the Subdivision Regulations, created a Subdivision Task Force to provide input on recommendations for amendments to the Subdivision Regulations and requested similar input from the Town Planning Board; and

WHEREAS, the Subdivision Task Force conducted a public information session to discuss proposed amendments with the Planning Board and members of the public; and

WHEREAS, the Subdivision Task Force conducted several additional meetings to prepare and review proposed amendments to the Subdivision Regulations and has submitted to the Town Board proposed local laws amending both the Subdivision Regulations (Chapter 140) and the Streets and Sidewalks Law (Chapter 138) of the Town Code; and

WHEREAS, the Town Board determined that the proposed Town Code amendments are subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, “SEQRA”), and that the amendments constitute an Unlisted Action under SEQRA; and

WHEREAS, on or about October 1, 2009, the Town Board referred the proposed amendments to the Greene County Planning Board, pursuant to General Municipal Law section 239-m and on October 1, 2009, the County Planning Board issued a no jurisdiction determination; and

WHEREAS, on November 3, 2009, the Town Board held a properly noticed public hearing on the proposed Town Code amendments, where the public had an opportunity to comment on the proposed amendments; and

WHEREAS, the Town Board finds the proposed amendments to the Subdivision Regulations and Streets and Sidewalks Law to be in furtherance of the public health, safety and welfare of the Town, and in accordance with the Town of Catskill Comprehensive Plan and the Town’s Zoning Law; so

NOW THEREFORE, pursuant to the New York State Municipal Home Rule Law, New York Town Law and the Town of Catskill Code, be it enacted by the Town Board of the Town of Catskill, as follows:

1. The Code of the Town of Catskill shall be amended so that Local Law No. 3 of 2009, “Amendments to the Town of Catskill Subdivision Regulations,” shall amend the noted sections of Chapter 140;
2. The Code of the Town of Catskill shall be amended so that Local Law No.

- 4 of 2009, "Amendments to Chapter 138 Streets and Sidewalks," shall Amend the noted sections of Chapter 138;
3. The Town of Catskill Town Clerk is hereby directed to cause these Local Laws to be filed with the New York State Secretary of State and in the Offices of the Town Board; and
 4. These Local Laws shall take effect upon filing with the Secretary of State as provided by statute.

Ayes 5, Nays 0, Absent 0

Motion Carried

DATED: December 16, 2009

VOTE: Yes No

Peter Markou	x
Robert Antonelli	x
Lewis O'Connor	x
Patrick Walsh	x
Michael Smith	x

RESOLUTION # 150-2009

SCHEDULE RE-ORGANIZATIONAL
MEETING

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town of Catskill wishes to hold a Re-Organizational Meeting for 2010, so

THEREFORE WE, the Catskill Town Board schedule the Re-Organizational Meeting for January 5, 2010 at 6:00 pm at Catskill Town Hall.

Councilman Smith seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Markou reviewed the Correspondence:

Notice of Intent for SEQRA lead agency status from TOC Planning Board regarding CJ Property Development, LLC. Need to send letter stating Town Board does not want to be lead agent.

Letter from TOC Planning Board recommending Jack Rivituso be re-appointed to the Board.

Letter (s) from Planning Board that Joe Izzo and Harry Sacco be appointed as Chair and Vice Chair respectively.

Letter from David Darling stating he does not want to be re-appointed to Zoning Board when term ends (12/09)

Letter (s) from Zoning Board that Margie Garafalo and Regina Daly be appointed Chair and Vice Chair respectively.

Supervisor Markou stated there is an ad in the paper seeking those interested in serving on those Boards.

Supervisor Markou polled the Board.

Councilman Antonelli stated we need to address the heat issue in the Ambulance building. He stated we had discussed the contract from Trane that was sent to us in October. It was \$2,433 for one year.

Councilman O'Connor believes we should not pay until it has been fixed properly. He stated the engineer and the mechanical engineer said the system is correct. Councilman Antonelli stated we should sue them because the issue has never been fixed. Councilman O'Connor concurred.

Councilman Antonelli stated we still need someone to service the heating system. He stated he will call to make sure the price is the same before entering into the contract.

Councilman Antonelli stated Town Hall's heating system was put in by Wolfe who is not out of business and Go Green Express has taken over their accounts. They have sent a proposal.

The downstairs system in Town Hall was put in by Scott Ursprung who also does not have a service agreement. Councilman O'Connor stated we should get local prices for both systems to service in Town Hall.

Councilman Walsh stated the system in Town Hall does not need a lot of service. It is a gas system. Councilman Smith stated Pat's concern is, is there a need for an agreement or to call when there is an issue.

Councilman Smith stated he received an email from a business owner in Palenville regarding the Trailway Service's depot stop which is at a gas station and market in Palenville.

He stated there is no area to wait for the bus and wants to know if the Board would be interested in providing a kiosk.

Supervisor Markou asked where the people are waiting now; out in the open or in the market. Councilman Smith stated out in the open.

Councilman O'Connor stated people would wait for the bus in the market before the new ownership. The BP market has tables and chairs. Councilman Smith stated if that was the case, according to the business owner it is no longer the case.

Councilman O'Connor stated he said less than a year ago people would wait in the market and buy coffee and a doughnut and wait. He stated they also buy their tickets inside the store.

Supervisor Markou asked if they are still buying tickets inside the store. Councilman Smith stated he believes so.

Supervisor Markou stated the Town does not own property there and the kiosk would be placed on private property which would raise the liability for the Town.

Supervisor Markou stated there will be a swearing in ceremony on January 1 at noon.

Matt Leibowitz spoke before the board regarding EPCR. He stated he spoke to Digitech who stated they do want to change the percentage of what they are collecting. They would rather lease the equipment and break down the payments monthly.

Supervisor Markou stated we will look at after the New Year.

Supervisor Markou wished everyone a Happy Holiday and Happy New Year. He wished Mr. O'Connor good luck in everything he will be doing.

A motion to adjourn the meeting was made by Councilman Antonelli and seconded by Councilman Smith. Meeting ended at 7:23 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk