

Catskill Town Board Monthly Meeting
Catskill Town Hall
May 4, 2010 6:30 pm

Attendance: Peter Markou, Supervisor
Robert Antonelli, Councilman
Patrick Walsh, Councilman
Michael Smith, Councilman
Elizabeth Izzo, Town Clerk
Nancy McCoy, Town Assessor
Steve Kirk, Grant Writer

Absent: Kevin Lennon, Councilman

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

The following minutes were reviewed:

04/06/2010 Catskill Town Board Monthly Meeting
Motion Councilman Antonelli
Second Councilman Smith
Ayes 4 Nays 0 Absent 1 (Lennon)

04/21/2010 Town Board Committee Meeting
Motion Councilman Antonelli
Second Councilman Walsh
Ayes 4 Nays 0 Absent 1 (Lennon)

04/23/2010 Bid Opening # 4-2010 CCC
Motion Councilman Antonelli
Second Councilman Smith
Ayes 4 Nays 0 Absent 1 (Lennon)

The following resolutions were reviewed:

RESOLUTION # 44-2010 ASSESSMENT SETTLEMENT
BETWEEN TOWN OF CATSKILL
AND WAL-MART REAL ESTATE
BUSINESS TRUST

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, Wal-Mart Real Estate Business Trust and the Town of Catskill are desirous of having certain assessment issues resolved as to properties owned by Catskill Realty Associates, LTD 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 the parties, and

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

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2009 tax certiorari proceeding filed by Wal-Mart Real Estate Business Trust in which the 2009 assessed value of the subject properties shall remain as follows without costs or refunds as to either party against the other:

<u>Year</u>	<u>Parcel No.</u>	<u>Assessed Value</u>
2009	171.08-7-30	\$15,168,200
2009	171.12-1-22	\$ 38,500

and it is further

RESOLVED, that the assessed value for the subject property Tax ID # 171.08-7-30 for the year 2010, 2011, and 2012 assessment roll be reduced as follows:

<u>Parcel No.</u>	<u>Assessed Value</u>	<u>Reduction</u>
171.08-7-30	\$13,500,000	(\$1,668,200)

and it is further

RESOLVED, that the assessed value for the subject property Tax ID # 171.12-1-22 remain unchanged for the years 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 Wal-Mart Real Estate Business Trust and the Town of Catskill as to the above referenced assessments.

Councilman Smith seconded this motion.

Ayes 4, Nays 0, Absent 1 (Lennon)

Carried

RESOLUTION # 45-2010

TOWN OF CATSKILL CLEAN
UP DAY 2010

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, June 12, 2010 from 7:00 am to 2:30 pm for the Town of Catskill residents at the Cauterskill Road site, so

THEREFORE WE, the Catskill Town Board hereby approve June 12, 2010 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 Smith seconded this motion.

Ayes 4 Nays 0 Absent 1 (Lennon) Carried

Supervisor Markou next stated he received the contract from Scott Dutton regarding the Community Center's renovation. Steve stated Scott feels confident with this company. The references checked out. Supervisor Markou stated the base bid is \$290,153 and with the deductions, the contract total is \$257,400. Mr. Dutton stated the bid package is complete.

RESOLUTION # 46-2010

AWARD BID FOR CATSKILL
COMMUNITY CENTER
RENOVATIONS

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, bids for the Catskill Community Center renovation project were received and opened on April 23, 2010, and

WHEREAS, these bids were reviewed by the architect, Scott Dutton & Associates and the Catskill Town Board, so

THEREFORE WE, the Catskill Town Board hereby award the bid to Transitional Builders, Inc. in the amount of \$257,400 for the renovations to the Catskill Community Center, 344 Main Street, Catskill, NY.

Councilman Smith seconded this motion.

Ayes 4, Nays 0, Absent 1 (Lennon) Carried

ASBESTOS ABATEMENT DESIGN AWARD FOR CATSKILL COMMUNITY CENTER

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Catskill Community Center will be undergoing renovations, and

WHEREAS, it will be necessary to abate some asbestos containing materials previously identified in the building, and

WHEREAS, Scott Dutton, architect for the project recommended HA2F Consultants to design the abatement in the amount not to exceed \$750.00 in accordance with Code Rule 56, so

THEREFORE WE, the Catskill Town Board hereby authorize HA2F to design the abatement specifications in the amount not to exceed \$750.00 for the Catskill Community Center, 344 Main Street, Catskill, NY.

Councilman Walsh seconded this motion.

Ayes 4, Nays 0, Absent 1 (Lennon) Carried

Steve asked the Supervisor if there was anything about the asbestos testing. Steve stated Scott told him he had contacted three companies for the testing which would get us in line with Small Cities.

Steve advised the Supervisor to hold off on passing a resolution for the invoice package of the inspection for asbestosis to make sure the State's procurement policy was followed.

Supervisor Markou reviewed a letter from Carl Kors, President, of the Greene County Youth Fair asking for donations to help offset the cost of the fair.

GREENE COUNTY YOUTH FAIR DONATION

Councilman Smith presented the following for consideration and adoption,

WHEREAS, there has been a request from the Greene County Youth Fair asking the Town to help offset the cost of this year's event, and

WHEREAS, this yearly event celebrates the achievements of youth in Greene County and provides something for all residents of our County, so

THEREFORE WE, the Catskill Town Board hereby schedule a Public Hearing on June 16th at 5:30 pm at Catskill Town Hall to hear comment regarding the use of outdoor wood boilers.

Councilman Smith seconded this motion.

Ayes 4, Nays 0, Absent 1 (Lennon) Carried

Supervisor Markou asked if the public had any comment. Dick Schloss asked the Town Board to come and see his road as it is sliding. He stated the Highway Department each year comes and fills it with black top. He stated if the road severs those families would be stuck.

Councilman Antonelli asked if Alfie looked at it. Mr. Schloss stated yes but he doesn't know the solution. Each year it gets worse and worse and it is sliding down the hill.

Councilman Antonelli stated we should place it on our agenda to look at it with the others. Mr. Schloss stated he would appreciate it.

A member of the Maetrum of Cybele asked why the Town of Catskill is continuing to deny their religious exemption when they are a 501-3c religious organization. This person stated they have not been given a legitimate reason. This person stated it is capricious and arbitrary. This person stated a reason needs to be given that can be addressed in the grievance hearing and again in court because we will be in court again this year. This person asked why this is being done.

Supervisor Markou stated he does not know the answer to the question as he is not on the Board of Assessment review. The person present stated that in 2008 Nancy McCoy stated, on the record, that it was a person of the town board council that said the exemption should not be renewed.

This person increasingly became agitated and Supervisor Markou asked for the person to calm down. This person stated why. The Supervisor stated there is a process that goes on. The Supervisor stated they can present the case and he would take it to the Assessor and the Attorney for their opinion. The person stated we are in violation of federal law and stated each member is liable and became increasingly agitated.

Supervisor Markou banged the gavel. He stated to the person they were out of order. He stated he will take it to the Assessor and Mr. Vincelette, Town Attorney. The Supervisor stated if this is going to court then it is in litigation and there is no further discussion.

Supervisor Markou asked if anyone else would like to be heard. Mr. Burnett approached the board regarding the garage/flea market on the corner of Mountain Turnpike. He stated this is in a very bad spot, blind spot, and is worried that someone may get hurt.

Supervisor Markou asked if this is a continuous sale. Mr. Burnett stated yes.

Supervisor Markou stated he will have the Code Enforcement Officer look into to see if there are any violations.

With no further comment a motion to adjourn the meeting was made by Councilman Antonelli and seconded by Councilman Smith. Motion adjourned 7:02 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk