

Catskill Town Board Monthly Meeting
Catskill Town Hall
May 7, 2013 6:31 pm

Attendance: Joseph Leggio, Supervisor; Robert Antonelli, Councilman; Gary Carlson, Councilman; Elizabeth Izzo, Town Clerk

Absent: Patrick Walsh, Councilman

Supervisor Leggio opened the meeting with a moment of silent prayer and the Pledge of Allegiance. The following minutes were accepted:

04/02/2013 Town of Catskill Monthly Meeting
Motion Councilman Antonelli
Second Councilman Carlson
Ayes 3 Nays 0 Absent 1 (Walsh)

04/17/2013 Town of Catskill Committee Meeting
Motion Councilman Antonelli
Second Councilman Carlson
Ayes 3 Nays 0 Absent 1 (Walsh)

04/19/2013 Government Operations Meeting
Motion Councilman Antonelli
Second Councilman Carlson
Ayes 3 Nays 0 Absent 1 (Walsh)

Supervisor Leggio reviewed the following resolutions:

Res 52-2013 General A Fund Budget Transfers: Motion by Councilman Antonelli seconded by Councilman Carlson. Vote: 3 Yes 1 Absent (Walsh) Motion carried.

Res 53-2013 B Fund Budget Transfers: Motion by Councilman Antonelli seconded by Councilman Carlson. Vote: 3 Yes 1 Absent (Walsh) Motion carried.

Res 54-2013 Transfer of Landfill Administrator: Motion by Councilman Antonelli seconded by Councilman Carlson. Vote: 3 Yes 1 Absent (Walsh) Motion carried.

Res 55-2013 2013 Town of Catskill Clean Up Day. Motion by Councilman Antonelli seconded by Councilman Carlson. Vote 3 Yes 1 Absent (Walsh) Motion carried.

Res 56-2013 Resolution Governing body USB Financial Services. Motion by Councilman Antonelli seconded by Councilman Carlson. Vote: 3 Yes 1 Absent (Walsh) Motion carried.

Res 57-2013 Adoption Ambulance Hardship Program Guidelines. Motion by Councilman Antonelli seconded by Councilman Carlson. Vote: 3 Yes 1 Absent (Walsh) Motion carried.

Supervisor Leggio reviewed Correspondence:

Email from George Lackie, President Catskill Soccer Club, requesting use of the Senior Center for their monthly meetings. *Supervisor Leggio stated we discussed scheduling for Senior Center to go through the Town Clerk's Office to have one place for all scheduling. There is no policy in place yet for a fee schedule to use the building. We should have it be the end of the week. Motion by Councilman Antonelli seconded by Councilman Carlson to have the Town Clerk's Office in charge of scheduling for the Senior Center. Vote: 3 Yes 1 Absent (Walsh) Motion Carried.*

Letter from George Lackie, Catskill Soccer Club, asking for supplies of ice packs.

To Hire Pipe Bands for Memorial Day Parade. *Motion by Councilman Antonelli seconded by Councilman Carlson to hire the Middle Fort Pipe Band and the Columbia District and Pipe Band to play in the Memorial Day Parade. Vote: 3 Yes 1 Absent (Walsh) Motion Carried*

Letter from DOT regarding abutments along Route 23 in the Town of Catskill. They are on their schedule to be addressed. *Supervisor Leggio stated two or three letters were sent to DOT regarding the road to Palenville from Catskill and the approaches to the bridges and abutments. They will be fixed when DOT is paving.*

Letter from Jennifer Gerard of Palenville NY regarding Mr. Paul Murarui-Pine Grove Development.

Letter from Greg Lubow thanking the board and clerk for use of the court room for their mock trial this year.

Fireworks display notification from Pyrotecnico for a display show for a wedding reception at the Point on July 6th at 9:30 pm.

Memo from Town Court stating their office will be closed on May 17th so the clerks can attend a training session. *Supervisor Leggio stated the metal detector has arrived. It will be used when court is in session. The State will be sending someone to set it up.*

Energy bulleting from Central Hudson.

Letter from M/M Dennis O'Grady requesting use of the senior center to park their cars behind their home. They would install a sliding gate so they can park in their back yard or to have the town entertain the idea of selling parking permits for residents to park in the center parking lot. *Supervisor Leggio stated this was sent to the Town Attorney for review. People are parking in the Senior Center lot who live on William St. He doesn't believe it is an issue if it isn't bothering someone but we are checking out the Town's liability if a car is vandalized.*

Memo from Planning Board requesting the Town grant credit for a workshop regarding preservation of historical sites and buildings that was held on April 4th for their continuing education.

Letter from the Village of Catskill requesting use of the Senior Center on the 2nd and 4th Wednesdays of the month for their meetings.

Supervisor Leggio moved on to New Business: Liz LoGuidice, a natural resource educator from Cornell Cooperative Extension, approached the board regarding a new program she is working on in regards to the Catskill Creek Watershed. The project encompasses the Hudson Valley and is called the Hudson Estuary Watershed Resiliency Project which focuses on flooding. After the hurricanes, the effect of those were felt both economically and environmentally. Our communities have settled next to streams, streams flow through culverts, there are bridges over streams, and we have development in a flood plain. Most of the time flood plains are dry but during a flood event the water spreads out. We are impacted by more and more flooding with the changes in our precipitation regime. We are outreaching to municipalities in the Hudson Valley area and targeting the Catskill Creek Watershed. We are interviewing officials for the type of flood response. She met with Supervisor Leggio last week and a needs assessment has been conducted and an education program is being developed based on the needs assessment.

With the predicted sea level rise, it will impact the Hudson River. She is here to inform the board of the project and provide material on the education program and to gauge our interest in such and if there are any specific topics the board would like training for, i.e. community rating system, FEMA etc. She stated a website is in the process of being developed. It will be www.hudsonestuaryresilience.net.

Supervisor Leggio asked about the plantings along the creek as Liz had stated she was working with Jeff Flack to see if they can replant some trees along the creek in Palenville and Leeds. He stated they will need permission to access the creek as much of it is on private property. Liz stated yes and this is why they are waiting till the fall to plant. She then asked who to inform on the board about upcoming educational seminars etc and the board stated to contact the Town Clerk. She stated she is trying to schedule a tour of the USGS Stream Gage with Gary Wall. She stated it is located on private property and she will inform us when it is scheduled.

Supervisor Leggio reviewed old business:

Lease Agreement/Fee Schedule for Senior Center. *Will be back from the Attorney at the end of the week.*

Fee for construction without a building permit. *Being reviewed by Attorney.*

Rental agreement for Senior Center from Dept of Aging. *Haven't done anything with yet. They are asking to reduce it by half. Councilman Antonelli stated it cannot be reduced this year as it is in our budget. She needs to be notified and to submit a request for next year's budget. Councilman Carlson stated we cannot reduce the amount this year. Supervisor Leggio stated the Town Clerk will send a letter.*

Supervisor Leggio opened up the meeting for public comment. Mr. Garrison asked about the letter that was to be sent to DOT regarding the Fire District's purchase of property. Supervisor Leggio stated it has been signed and is to be mailed tomorrow.

Mr. Garrison asked about the status of the wall. Supervisor Leggio stated Rich Praetorius was hired by the Town to design the wall. It was to be designed for a permitted section. His design was for a longer section as he was unaware it was only to be designed for a permitted section. There was a meeting in March where DEC told the board there was no permit issued and the project needed to be redesigned. Neither Rich nor the Town Board knew there was no permit issued and that the wall had to be redesigned. Without passing the buck, DEC and Army Corp do not want the wall to be extended past a certain point. We met with them on Friday and supposedly they will let us start the project, issue the permit, and have a change order for a shorter wall. We are hoping this will allow us to get it done this construction season and start the project on the 15th. If the project isn't started now it will be next winter. The only way to stop now is if we have to rebid the project as the scope of work has changed.

Mr. Garrison asked if the wall is the same length. Supervisor Leggio stated in the creek bed there are remains of concrete and a section of concrete a foot high by the firehouse. Army Corp will not allow the continuance of a wall upstream. They want the wall to turn in where they dry culvert is by the monument and have rip rap with boulders and the wall two feet high. Why we didn't know this last year, he is unsure.

Ms. Gigante submitted a Petition to the Town Board Members Regarding the Murarui Bros. & Pine Grove Development in which 26 people signed urging the Town of Catskill to enforce the following codes with regard to the stated development. They are refusing to live one more summer with constant noise of a grinding, clanking backhoe and a chain saw from the location, 7

days per week from sunrise to sunset and beyond. Three Town of Catskill Codes were mentioned, 123-3 Noises prohibited; 123-5L Building construction or repair; 115-19 Junk. They stated the above is not a single family residence but a business with a library and several rented apartments with numerous guests at times. They state the situation has reached intolerable proportions affecting the lives of many neighbors and it must not continue.

She stated Susan Carberry contacted the CEO who told her when the noise gets bad to contact the Sheriff's Office. Councilman Carlson stated the Sheriff's Office does not have a decibel meter. Councilman Antonelli stated it was given to the State Police. He stated the problem with noise is it is hard to enforce.

Ms. Gigante stated the Codes are confusing to understand. One says can only use machinery on Sunday if a single family residence and the time states 7 am to 8 pm. It is hard to decipher. She read the entire code of 123-3. She stated the noise is affecting their quality of life and they will be grieving their taxes.

Councilman Carlson stated the Sheriff and State Police do not enforce municipal local laws. If she feels it is a violation then to go to the Code office and file a deposition and an appearance ticket will be issued and the court will review. Ms. Gigante stated the Code Enforcer does nothing. Supervisor Leggio asked if this is happening all on Saturday and Sundays. Ms. Gigante stated she has a log 18 days straight. He is digging and the bank will go down. She is tired of banging her head against a brick wall. Supervisor Leggio stated he will have Code Enforcement do random checks. Councilman Carlson stated if it is happening on Saturday mornings to call the Sheriff's office and have him document what is happening and to then go to the Code Office with a copy of the report that shows a consistent pattern. This will give the Code Office teeth.

Ms. Gigante stated she received a phone call today that he is lifting up the boulders that have been put in the culvert by the Town. Councilman Antonelli stated the person who said this has to put in a complaint. It can't be word of mouth. This man is coming up at every meeting. Councilman Carlson stated the major part is documentation and they can bring a civil suit against him. Supervisor Leggio stated if he wants to do something on his property Monday through Friday but on weekends...the problem is how is it addressed? You cannot single people out as you need to treat all the same.

Supervisor Leggio stated a motion will need to be made to give the Planning Board credit hours for a workshop regarding preservation of historical sites and buildings. Motion by Councilman Antonelli seconded by Councilman Carlson to authorize the credit. Vote 3 Yes 1 Absent (Walsh) Motion Carried.

Mr. Dombrowski approached the board and stated the board acknowledges giving the State Police a decibel meter. Is that true? Supervisor Leggio and Councilman Antonelli believed it was given some years ago. Mr. Dombrowski asked if we could find out if they still have it. Supervisor Leggio stated no one was trained to use it. Mr. Dombrowski stated there are other ways to see if noise is too loud, by hear and guesstimate. He stated this is not sporadic. He leaves for work at 6 am and returns at 5 pm. He stated Mr. Murariu has an appeal before the zoning board. He has pictures. It spans months. The problem is now we can't call anymore. The State Police will not help. Councilman Carlson stated the Sheriff and State Police operate as a triage. A noise complaint will take less precedent over an auto accident etc. We have limited resources. Unfortunately a priority to you is not to them. They will try to help out as best they can. If the Sheriff thinks someone failed to answer a complaint, he will have his hide. They may have answered your call three hours later and you don't know about it. Mr. Dombrowski stated he is consistently operating. He shuts down around 8:30 8:45. Supervisor Leggio stated he is here every morning and to leave a message.

Mr. Dombrowski, on a separate note, on behalf of Mr. Murariu, relayed a message to the board. He is cutting the cable to the swinging bridge per the letter from the Code Office. He wanted to inform the board this will be done.

Ms. Gigante asked about the guardrail Mr. Murariu took down. Supervisor Leggio stated a fence will go around the splash pool in lieu of a guardrail. Ms. Gigante stated he stole the guard rail. Supervisor Leggio stated he is not sure what happened to the guard rail. He understands this is not a good answer but understands where everyone is coming from. He understands Mr. Murariu's right to not have people on his property but putting up a fence after the fact, no permits issued. Mr. Garrison stated the town allowed a 10 foot fence. Supervisor Leggio stated the fence was built without approval. He was told to cut it down to 72 feet. He put in a four foot stone wall. Mr. Garrison stated the Code said that was ok. Supervisor Leggio stated no. They have been fighting with him for months. Councilman Carlson stated the code enforces. Government is broken up into three branches and it is brought to our attention. Mr. Garrison asked who hires the code enforcer. Supervisor Leggio stated the board. Mr. Garrison stated he has been complaining about the Code Office for the last twenty years. They are not doing their job.

Supervisor Leggio stated they site people, bring to court and the judge gives 30 days, 60 days, 90 days and then the whole chain of events, unsafe building, public hearing, then people clean up and do it all over again. It is difficult to enforce. Ms. Gigante stated she called Code when he built an addition on the back of his home last year and she believes the code officer is a worthless man and he makes up stories. She stated none of them wish to talk to him.

Mr. Izzo stated the Planning Board has a client for a lot line adjustment. The zoning map indicates there is not enough acreage to do it. The person indicated the zoning map is incorrect. There is a section where it doesn't indicate the proper zoning classification. He stated he had asked the board to look at two to three years ago and now he is before the board again. He stated he researched the changes from 1988 when zoning was first in affect. There are three local laws that changed zoning. He stated in 2003 when the zoning map was created after the last zoning change, there appears to be mistakes on the map. He is here to ask permission from the board that the Planning Board look at revising the map to make it accurate. There will be no changes in zoning. He stated we may need a consultant and he will approach the Greene County Planning Board as they drew the map. He stated it should not affect a lot of people but some areas were done incorrectly. It does not require action from the Town Board because there are no zoning changes. The Planning Board cannot make an illegal lot if the map is coded wrong but we want to accommodate the lot line adjustment.

Supervisor Leggio stated it is basically reprinting the map and he has no problem.

Mr. Izzo spoke about the Memorial Day Parade scheduled for May 27th at 4 pm. He stated everything is coming together. There will be a radio ad next week. Supervisor Leggio stated we should get together next week too.

Mr. Dombrowski asked the board to re-evaluate code #123 on noise regarding mining and quarrying. DEC won't touch as it is less than 700 yards. Supervisor Leggio stated it was looked into last year. He can do what he wants on his property as long as it doesn't affect adjoining properties.

With no further comment a motion to end the meeting was made by Councilman Antonelli and seconded by Councilman Carlson. Meeting ended 7:58 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk