

Catskill Town Board Monthly Meeting
Catskill Town Hall
June 5, 2012 6:30 pm

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

Supervisor Leggio opened the meeting with a moment of silent prayer and the Pledge of Allegiance. He asked Mike Budris of Delaware Engineer, who was here to give an update of the proposed sewer system in Leeds, to speak.

Mr. Budris gave a brief history of the proposed Leeds sewer system, stating a few years ago discussion ensued about the feasibility of a sewer system when there were several failures and some reports from the DOH and DEC. He stated originally it was a small collection system in Leeds and a small package plant. At that time, it was also discussed connecting to the Village of Catskill's system. It was not looked into further as there were concerns about the age of the system, was there too much I and I, capacity and if it was something DEC and DOH would even allow. The Village has been doing a lot of work mitigating the inflow and infiltration and there may be excess capacity in the plant, so at this time, it seems running a line down 23B and connect to the Village system may be favorable. It also allows the ability to add additional users.

Mr. Budris presented a map showing where the district may be. He stated what needs to be addressed is to know vaguely how many houses and the flow so he has that information when contacting the Village to see if it would be permissible to hook into the Village system. It also will address any needs the Village system may need to take on that additional flow if any.

Mr. Budris presented outlined the district beginning with the Hamlet of Leeds and pointing out where two pump stations would need to be moving on to a pump station near Forest Hills Road then the thruway, route 23B, Jefferson Heights and connecting to the sewer line near the old hospital which would be gravity flow. Mr. Budris stated the benefit going through Jefferson Heights allows the ability to add additional houses. The proposal is \$9.8 million. What is used to determine if it makes sense to build a collection system is the capital cost per edu. EDU stands for equivalent dwelling unit. This is the daily wastewater contribution for a single family house. This will help obtain the total flow to be sent to the Village. The water usage in Leeds is about 160 gallons a day. The State uses the formula of 100 gallons a day per each person in the home. The combined areas, the Leeds service area, down 23B and through Jefferson Heights, the estimated flow rate is 66,000 gallons a day. This is general planning purpose for a ball park figure. These numbers are needed to see if the Village may need any upgrades to the plant and what and how many. If we take the total capital cost divided by the amount of services that gives us the capital cost per edu. Running a sewer from Leeds down 23B and not including Jefferson

Heights, the cost per edu is \$23,000. Adding users in Jefferson Heights brings the cost down to \$13,000. When looking at the side roads, where it may become sparse, a decision will need to be made to see where the sewer may need to end.

The next step will be to look at the flow rates and to start a dialogue with the Village and the State showing the proposed project to see if it is feasible. There is some financing available for the planning work. Amanda Mahar spoke about the submission of planning grant. It will need to go through the regional council for our area. She stated DEC and EFC are behind us. We are listed on the IUP which is a condition of the grant. The grant is due mid July and they are hoping to have it completed for submission by the end of June. The grant is for \$30,000 with a 20% match.

Elizabeth LoGiudice of Cornell Cooperative Extension of Greene County, who is the coordinator of the Catskill Watershed Project, commended the Town and Village for their collaboration of the project. She stated the issue in Leeds is one of environmental and water quality and one that should be remediated. She stated they support us in anyway and will be providing a letter of support for the grant that Delaware Engineering is applying for.

Supervisor Leggio reviewed the minutes:

5/1/2012	Town Board Monthly Minutes Motion Councilman Antonelli Second Councilman Walsh Ayes 5 Nays 0 Absent 0
5/14/2012	Government Operations Meeting Motion Councilman Antonelli Second Councilman Walsh Ayes 5 Nays 0 Absent 0
5/16/2012	Town Board Committee Minutes Motion Councilman Antonelli Second Councilman Walsh Ayes 5 Nays 0 Absent 0
5/22/2012	Government Operations Meeting Motion Councilman Antonelli Second Councilman Walsh Ayes 5 Nays 0 Absent 0

5/29/2012 Government Operations Meeting
Motion Councilman Antonelli
Second Councilman Walsh
Ayes 5 Nays 0 Absent 0

5/31/2012 Government Operations Meeting
Motion Councilman Antonelli
Second Councilman Walsh
Ayes 5 Nays 0 Absent 0

Supervisor Leggio reviewed the resolutions:

RESOLUTION # 76-2012

RESOLUTION TO JOIN MUNICIPAL
GROUP-SELF INSURANCE PROGRAM

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Authorized Representative of the Town of Catskill desires to secure the Town of Catskill's obligation to provide volunteer firefighter's benefit law, volunteer ambulance workers' benefit law and workers' compensation benefits, as applicable, through participation in a group self-insurance program of which the Town of Catskill will be a member; and

WHEREAS, the Authorized Representative of the Town of Catskill, duly convened in regular session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 of the New York State Worker's Compensation Law and other applicable provisions of law and regulations there under, as follows:

Section 1. The Authorized Representative (hereinafter "Representative") of the Town of Catskill does hereby resolve to secure the Town of Catskill's obligation to provide volunteer firefighters' benefit law, volunteer ambulance workers' benefit law and workers' compensation benefits, as applicable, through participation in a group self-insurance plan of which the Town of Catskill will be a member.

Section 2. The Representative of the Town of Catskill does hereby resolve to become a member of Public Employer Risk Management Association, Inc.; a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York;

Section 3. In order to affect the Town of Catskill's membership in said group self-insurance program, the authorized officer of the Town of Catskill is hereby authorized to execute and enter into the Public Employer Risk Management Association Workers' Compensation Program Agreement, annexed hereto as Exhibit A, on behalf of the Town of Catskill.

Section 4. This resolution shall take effect immediately.

Councilman Walsh seconded this motion.

Ayes 5 Nays 0 Absent 0

Motion Carried

RESOLUTION # 77-2012

ASSESSMENT SETTLEMENT
CATSKILL PROPERTY GROUP, LLC

Councilman Antonelli presented the following for consideration and adoption,

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

WHEREAS, a settlement proposal resolving pending tax certiorari litigation was recommended by Daniel G. Vincelette, trial counsel to 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; now

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept a proposed settlement for the 2011 tax certiorari proceeding filed by Catskill Property Group, LLC in which the 2011 assessed value of the subject property shall be reduced as follows:

<u>Year</u>	<u>Parcel No.</u>	<u>Assessed Value</u>	<u>Reduction</u>
2011	156.09-3-19	2,713,500	(732,200)

and it is further

RESOLVED that the assessed value for the subject property for the 2012, 2013 and 2014 final assessment roll be reduced as follows:

<u>Parcel No.</u>	<u>Assessed Value</u>	<u>Reduction</u>
156.09-3-19	1,799,875	(1,645,825)

and it is further

RESOLVED, that the Town Board does hereby adopt this resolution to end the litigation between Catskill Property Group, LLC and the Town of Catskill as to the above referenced assessment.

Councilman Walsh seconded this motion.

Ayes 5 Nays 0 Absent 0 Motion Carried

Roll Call Vote: Ayes Nays Absent

Supervisor Leggio	x
Councilman Antonelli	x
Councilman Walsh	x
Councilman Lennon	x
Councilman Carlson	x

Supervisor Leggio mentioned the next proposed resolution with Kingston WoRx for pre-employment physical exams. Councilman Lennon asked if we looked at local organizations that provide the same service cheaper. He stated the drug and alcohol testing we do with them have been sold to a third party and according to their contract they did not notify us of that. He would like to table the motion so either they can tell us what occurred and give a detailed plan and also possibly get some other costs from other organizations. Supervisor Leggio stated he had no problem with that but this was under the recommendation of HR. Councilman Lennon stated asked her if she had any opportunity to look elsewhere. He also stated she did not follow up on the problems we are having with the drug and alcohol testing.

Councilman Walsh asked Councilman Lennon if he knew of any other organizations. Councilman Lennon stated there is Urgent Care in Catskill and a few others that the current fire departments use and a van is brought to their locations to do the physicals. The Sheriff's department has an organization they use for their physicals also.

Councilman Carlson stated the Sheriff's office uses Kingston WoRx. He concurred with Councilman Lennon that if there were local alternatives to look into it. Councilman Lennon stated we should have HR look into further. Councilman Carlson withdrew his second and Supervisor Leggio stated the motion is pulled.

Supervisor Leggio reviewed the county resolutions:

Res 171-12	Authorizing County Highway Superintendent to bid For #2 diesel fuel and gasoline
Res 174-12	Awarding bids to purchase materials highway dept.
Res 175-12	Award bid for washed and screened crushed stone
Res 168-12	Awarding fuel oil bids
Res 187-12	Approving reimbursement to comm. College (Catskill's share total \$796.67 town \$478.00)
Res 189-12	Authorizing distribution of mortgage tax

Supervisor Leggio reviewed the correspondence:

Memo from Human Resource to waive pre-employment physicals for Ashley Rose and Kevin McGee since they began prior to adoption of the pre-employment physicals.

Letter of interest from Tracy Van Dyke and Vitaliy Bobkov to serve on the Planning Board.

Letter of interest from Lynn Zubris to serve on the Zoning Board.

Twentieth Annual New York State ReLeaf Conference July 19-21 at Canisius College

Letter from Kathleen Farrell, Superintendent of CCSD extending appreciation for use of Ricky Cramer Field and to begin discussions on use of the field for the 2013 season

Supervisor Leggio reviewed the monthly reports:

Catskill Town Code's Report for May
Catskill Town Cemetery Report for May
Catskill Town Ambulance Report for May

Catskill Town Highway Report for May

Supervisor Leggio moved on to new business. The next item on the agenda is the NCRS project agreement.

Councilman Lennon stated he gave the town attorney a copy of the proposed land acquisition for NCRS and asked him if he had any problems with the documents. Mr. Smith stated the document that he would recommend would be the modified document created by Mr. Sterthous compared to the document received by NCRS as it is more extensive and gives greater protection to the Town.

Councilman Lennon stated he has been working with NCRS for the two projects; Mill Road and Kaaterskill. He stated the next step is to complete the project agreement and that needs to be signed by the Supervisor. Total project price is \$289,414 and the 25% cost the Town would be responsible for is \$72,353.50. The engineering cost should not exceed 7.5%. As lead agent, the money has been pulled from Federal to State and this is the next process to move from State to our level. Greene County Soil & Conservation has put in an hnp for us to include the 25% cost of the project. This will cover our 25% cost. Councilman Lennon presented passing a resolution to have the Supervisor sign the agreement. He stated we will need temporary easements to complete the project.

Supervisor Leggio asked Michael if he reviewed the documents. Councilman Lennon stated we can back out at anytime but the longer we wait the damage to the infrastructure may lead to severe damage to the area. Councilman Walsh asked who will do the work. Councilman Lennon stated we will have to go out for bidding. Councilman Walsh seconded the resolution.

Supervisor Leggio stated he would like Michael to review it and asked Councilman Lennon when it is due. Councilman Lennon stated he would like to get it in tomorrow and asked Michael if he would have an opportunity to review it. Mr. Smith stated he would not be able to review it between tonight and tomorrow morning. He stated he can't review a document like this at the end of the day and have a report ready in the morning. It is not giving him time to review a document in a professional way. Supervisor Leggio asked if it could be done by the end of the week. Mr. Smith stated yes.

RESOLUTION # 78-2012

AUTHORIZE SUPERVISOR TO SIGN
PROJECT AGREEMENT WITH NCRS

Councilman Lennon presented the following for consideration and adoption,

WHEREAS, an agreement has been made between the Town of Catskill (“Sponsor”) and the Natural Resources Conservation Service (“NRCS”) under the provisions of Article 216 of Public Law 81-516, Emergency Watershed Protection and Title IV of the Agricultural Credit Act of 1978, Public Law 95-334 authorized NRCS assist the Sponsor in relieving hazards created by natural disasters; and

WHEREAS, NRCS and the Sponsor agree to install emergency watershed protection measures to relieve hazards and damages created by Irene/Lee flooding of 2011; so

THEREFORE WE, in consideration of the premises and of the several promises to be faithfully performed (see agreement) by the parties hereto as set forth, the Sponsor and NCRS do hereby agree that the following described work is to be constructed at an estimated cost not to exceed \$289,414.00 (Mill Rd. \$183,101.20 & Kaaterskill Ave \$106,312.80) and that this agreement will be reviewed by the Town Attorney before being signed by the Supervisor.

Councilman Walsh seconded this motion.

Ayes 5, Nays 0, Absent 0

Motion Carried

Supervisor Leggio asked if there was anything else to come before the board. Councilman Lennon stated we had received the Intermunicipal Agreement from the Village of Athens and they in turn sent one for us to sign.

Councilman Lennon asked if the Highway 284 form was signed by all and sent to the Highway Superintendent.

Supervisor Leggio asked if there was any further comment. Joe Izzo stated in reference to the grant for the sewer system, the state has gone to regional counsels for approval of all economic development loans and ask that Delaware Engineer coordinate their response with the Greene County Economical Development Office as Mr. Speenburgh sits on that regional committee.

On the FEMA money, he stated the State has opted to pay a certain percent and to see if it includes town shares. Councilman Lennon stated it does.

Supervisor Leggio asked Mr. Izzo if he was still short a person on the Planning Board. He stated they are but they will have a full board tomorrow night. He stated the Planning Board has expressed an interest to sit in on interviews the Town Board may or may not appoint. He understands it is a Town Board decision. Supervisor Leggio stated that is fine and a meeting can be set up.

Mr. Izzo stated all projects with the Planning Board are current. He stated they are waiting on a housing project on Cairo Junction Road but the developer is going through a process with DOH and DEC concerning health and septic and SPEDES permits. A negative declaration was issued on that project.

With no further comment a motion to end the meeting was made by Councilman Walsh and seconded by Councilman Carlson. Meeting ended 7:59 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk