

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

Attendance:	Peter Markou,	Supervisor
	Robert Antonelli,	Councilman
	Patrick Walsh,	Councilman
	Michael Smith,	Councilman
	Kevin Lennon,	Councilman
	Elizabeth Izzo,	Councilman

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

The minutes were reviewed.

Catskill Town Board Monthly June 1, 2010
Motion Councilman Antonelli
Second Councilman Smith
Ayes 5 Nays 0 Absent 0

Public Hearing # 2-2010
Outdoor Wood Boilers June 16, 2010
Motion Councilman Antonelli
Second Councilman Smith
Ayes 5 Nays 0 Absent 0

Catskill Town Board Committee June 16, 2010
Motion Councilman Antonelli
Second Councilman Smith
Ayes 5 Nays 0 Absent 0

Government Operations June 16, 2010
Motion Councilman Antonelli
Second Councilman Smith
Ayes 5 Nays 0 Absent 0

Joint Meeting, TOC/VOC/GCL June 23, 2010
Motion Councilman Antonelli
Second Councilman Smith
Ayes 5 Nays 0 Absent 0

The following resolutions were reviewed and passed:

RESOLUTION # 69-2010

Town of Catskill Standard Work
Day and Reporting Resolution

Councilman Antonelli presented the following for consideration and adoption,

BE IT RESOLVED, that the Town of Catskill hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs./day)	Term Begins / Ends	Participates in Employer's Time Record Keeping System	Days / Month (based on record of activities)
Town Clerk	Elizabeth Izzo	8	1/1/2008 – 12/31/2011	No	20
Superintendent of Highways	Alfred Beers	8	1/1/2008 – 12/31/2011	No	20
Board Member	Robert Antonelli	6	1/1/2010 – 12/31/2013	No	9.07
Town Justice	Robert Carl	6	1/1/2010 – 12/31/2013	No	6.46
Town Justice	Peter Margolius	6	1/1/2007 – 12/31/2010	No	17.54
Receiver of Taxes	Michael DeBenedictus	8	1/1/2008 – 12/31/2011	No	14.73

On this 6th day of July, 2010

Date enacted: July 6, 2010

Catskill Town Clerk

I, Elizabeth Izzo, Town Clerk of the governing board of the Town of Catskill of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 6th day of July 2010 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of five (5) members, and that five (5) of such members were present at such meeting and that five (5) of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Catskill.

RESOLUTION #70-2010

APPOINTMENT P/T CODE OFFICER

Councilman Antonelli offered the following for consideration and adoption,

WHEREAS, there is a part-time position available in the Code office, and

WHEREAS, there is a departmental need to fill this position, so

THEREFORE, WE, the Catskill Town Board do hereby appoint John Dove, who has the necessary qualifications for this position, as part-time Code Enforcement Officer, at a salary of \$15.00 per hr., to become effective on July 6, 2010.

Councilman Smith seconded this motion.

Ayes 5 Nay 0 Absent 0

Motion Carried

Supervisor Markou stated the scheduling will be done in such a way as there will be a part-time code officer in the office every day of the week.

RESOLUTION # 71-2010 RAMSHORN-LIVINGSTON SANCTUARY PARK
DEVELOPMENT GRANT.

Councilman Smith offered the following for consideration and adoption,

WHEREAS, the Scenic Hudson Land Trust, Inc. (Scenic Hudson), having its principal offices at One Civic Center Plaza, Suite 200, Poughkeepsie, New York, is a not-for-profit corporation under New York State law which is exempt from federal income tax under Section 501 (c)(3) of the Internal Revenue Code of 1986, as amended, and which, among other things, works to conserve natural lands and open space in the Hudson Valley of New York State for the benefit of the general public;

WHEREAS, Audubon New York (Audubon) is a not-for-profit corporation which is exempt from federal income tax under Section 501 (c)(3) of the Internal Revenue Code of 1986, as amended, whose mission is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity.

WHEREAS, Scenic Hudson and Audubon cooperatively own and manage a 480 acre preserve known as the Ramshorn-Livingston Sanctuary, which is located within the Town of Catskill, Greene County, New York.

WHEREAS, Ramshorn-Livingston Sanctuary has provided free public access for passive recreation, including hiking, kayaking, and bird-watching, since 1992 for residents and visitors;

WHEREAS, Scenic Hudson is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project at Ramshorn-Livingston Sanctuary ("Ramshorn-Livingston Sanctuary Universal Access Improvements"), a site located within the territorial jurisdiction of this Board, to improve accessibility, enhance educational and passive recreational opportunities, and promote connections with other attractions in the Town of Catskill;

WHEREAS, as a requirement under the rules of these programs, Scenic Hudson must obtain the approval/endorsement of the governing body of the municipality in which the project will be located;

NOW THEREFORE, BE IT RESOLVED, THE Town Board of the Town of Catskill hereby does approve and endorse the application of Scenic Hudson for a grant under the Environmental Protection Fund for the park project known as Ramshorn-Livingston Sanctuary Universal Access Improvements and located within this community.

Councilman Walsh seconded this motion.

Roll Call Vote:

Supervisor,	Peter Markou	Aye
Councilman,	Robert Antonelli	Aye
Councilman,	Patrick Walsh	Aye
Councilman,	Michael Smith	Aye
Councilman,	Kevin Lennon	Aye

Ayes 5 Nays 0 Absent 0

Motion Carried

Date of Adoption: July 6, 2010

I, Elizabeth Izzo, Town Clerk of the governing board of the Town of Catskill of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 6th of July 2010 on file as part of such minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full board, consists of five (5) members, and five of such members were present at such meeting and that five of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Catskill.

Catskill Town Clerk

Supervisor Markou reviewed the County resolution:

Resolution No. 230-10

Resolution in Opposition to Proposed
6 NYCRR Part 247 Regulations on
Outdoor Wood Boilers

Supervisor Markou then had Scenic Hudson make their presentation. Scenic Hudson thanked the board for the supporting resolution for their grant. She presented the board with a poster of Catskill's scenic and natural treasures in regards to their last presentation.

She also gave a copy of the Revitalizing Hudson Riverfronts book for the Planning, Zoning, and Town Board.

Supervisor Markou stated the poster is very attractive and thanked Scenic Hudson.

Supervisor Markou polled the Board. Councilman Lennon stated he is looking into ambulance reimbursements for people who are evaluated and refuse transport; \$100 fee. Sandy is going to look into it. Councilman Antonelli stated the billing company stated insurance companies are reimbursing. Councilman Lennon stated need to look into procedure and policy on billing and collection.

Councilman Antonelli stated Stanley Dushane received a letter from a person who wants to put a headstone on a lot and wanted authorization from the board. Since the person owns the lot they can put a headstone there. If the person wants to bury his mother's remains there, then he will need a burial permit.

Councilman Lennon asked if there was a way to get a list of all plots in the cemetery that has military significance. It would be easier come Memorial Day when we are placing flags to make sure we do not miss anyone. Councilman Antonelli stated we are putting them on computer now.

Supervisor Markou reviewed the local laws and went through part two of the SEQRA process for each law.

RESOLUTION # 72-2010

SEQRA DETERMINATION LOCAL LAW
2 OF 2010 ALTERNATE MEMBERS TO
PLANNING BOARD AND ZONING
BOARD OF APPEALS

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town Board of the Town of Catskill has found that on rare occasions it is sometimes difficult to maintain a quorum on the Planning Board and the Zoning Board of Appeals because members are ill, on extended vacations, or find they have a conflict of interest on a specific matter before such Board; and

WHEREAS, in such instances, official business cannot be conducted, which may delay or impede adherence to required timelines; and

WHEREAS, the adoption of changes within the Code of the Town of Catskill is classified as an Unlisted Action subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, “SEQRA”; and

WHEREAS, the Town of Catskill, as the only agency involved, has established itself as lead agency and has prepared and submitted part I of the short Environmental Assessment Form (“EAF”); and

WHEREAS, the Town Board of the Town of Catskill on May 21, 2010 referred the action along with the EAF part 1 to the Greene County Planning Board pursuant to NY General Municipal Law 239-m; and

WHEREAS, on or about June 17, 2010, the Town Board received a positive referral response from the Greene County Planning Board; and

WHEREAS, on July 6, 2010, the Town Board conducted a properly noticed public hearing on the amendments; and

WHEREAS, on July 6, 2010, the Town Board completed Part 2 of the EAF; and

WHEREAS, the Town Board carefully considered the environmental impacts associated with this action, including reviewing and evaluating the EAF and 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, for the reasons set forth in the written Negative Declaration annexed hereto, the Town Board has determined that an amendment to the Code of the Town of Catskill to include Alternate Members for the Planning Board and Zoning Board of Appeals will have no significant adverse environmental impact, and accordingly has decided to issue a Negative Declaration of Environmental Significance under SEQRA.

NOW, THEREFORE BE IT RESOLVED that:

1. The Town Board certifies that the requirements of 6 NYCRR Part 617 have been met.
2. The facts and conclusions set forth in the written Negative Declaration annexed hereto are derived from the EAF, reports, submittals and other relevant information.

3. The Town Board hereby declares and adopts the written Negative Declaration annexed hereto.
4. Based upon the Negative Declaration, the Town Board hereby declares that the amendment will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA.

BE IT FURTHER RESOLVED, that the Town Board directs the Secretary of the Board to:

1. place on file the Negative Declaration (copy attached) and a copy of this resolution in the office of the Town Clerk;
2. mail copies of the Negative Declaration (copy attached) and this resolution to the Greene County Planning Board, and SEQRA involved agencies, if any;
3. publish notice of this Negative Declaration in the Environmental Notice Bulletin; and
4. make the Negative Declaration and a copy of this resolution available for inspection and copying by the public.

BE IT FURTHER RESOLVED that this resolution will take effect immediately,

Councilman Smith seconded this motion.

<u>TOWN BOARD MEMBER</u>	<u>AYE</u>	<u>NAY</u>
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Peter J. Markou	Aye	
Robert Antonelli	Aye	
Patrick Walsh	Aye	
Michael Smith	Aye	
Kevin Lennon	Aye	

Ayes 5,	Nays 0	Absent 0	Motion Carried
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RESOLUTION # 73-2010

ADOPTION OF LOCAL LAW
NO. 2 OF 2010

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town Board of the Town of Catskill has found that on rare occasions it is sometimes difficult to maintain a quorum on the Planning Board and the Zoning Board of Appeals because members are ill, on extended vacations, or find they have a conflict of interest on a specific manner before such Board; and

WHEREAS, in such instances, official business cannot be conducted, which may delay or impede adherence to required timelines; and

WHEREAS, on May 21, 2010, the Town of Catskill referred the action along with the EAF Part I to the Greene County Planning Board, pursuant to General Municipal Law section 239-m; and

WHEREAS, on July 6, 2010, the Town Board of the Town of Catskill conducted a properly noticed public hearing on the proposed amendment; and

WHEREAS, the Town Board, as lead agency under the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA") classified the amendment as a Type I action under SEQRA and issued a resolution adopting a negative declaration on July 6, 2010; so

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby enacts Local Law 2 of 2010 to amend the Code of the Town of Catskill to include new Chapter 50, Alternate Members: Planning Board and Zoning Board of Appeals; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to file a certified copy of Local Law 2 of 2010 with the New York State Secretary of State; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon filing with the Secretary of State as provided by statutes.

Councilman Smith seconded this motion.

TOWN BOARD MEMBER

AYE

NAY

Peter Markou	Aye
Robert Antonelli	Aye
Patrick Walsh	Aye
Michael Smith	Aye
Kevin Lennon	Aye

Ayes 5, Nays 0, Absent 0

Motion Carried

RESOLUTION # 74-2010

SEQRA DETERMINATION LOCAL
LAW 3 OF 2010 ARTICLE IV (PRIVATE
STREETS) AND ARTICLE V
(MAINTENANCE OF SIDEWALKS)

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town Board of the Town of Catskill's intent and purpose of this Local Law is to protect the health, safety and welfare of pedestrians on sidewalks and streets and of motorists using streets within the Town of Catskill by placing responsibility for the maintenance of sidewalks upon property owners and occupants of land containing or adjacent to sidewalks; and

WHEREAS, the adoption of changes in the Town of Catskill Zoning Code is classified as an Unlisted Action subject to the State Environmental Quality Review Act (ECL; Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, “SEQRA”); and

WHEREAS, the Town of Catskill, as the only agency involved, has established itself as lead agency and has prepared and submitted Part I of the short Environmental Assessment Form (“EAF”); and

WHEREAS, the Town Board of the Town of Catskill on May 21, 2010 referred the action along with EAF Part I to the Greene County Planning Board pursuant to NY General Municipal Law section 239-; and

WHEREAS, on or about May 27, 2010 the Town Board received a positive referral response from the Greene County Planning Board; and

WHEREAS, on July 6, 2010, the Town Board conducted a properly noticed public hearing on the amendments; and

WHEREAS, on July 6, 2010, the Town Board completed Part 2 of the EAF; and

WHEREAS, the Town Board carefully considered the environmental impacts associated with this action, including reviewing and evaluating the EAF and 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, for the reasons set forth in the written Negative Declaration annexed hereto, the Town Board has determined that an amendment to the Town of Catskill Zoning Law, Chapter 138 (Private Streets) and to create new Article V (Maintenance of Sidewalks) will have no adverse environmental impact, and accordingly has decided to issue a Negative Declaration of Environmental Significance under SEQRA.

NOW, THEREFORE BE IT RESOLVED that:

1. The Town Board certifies that the requirements of 6 NYCRR Part 617 have been met.
2. The facts and conclusions set forth in the written Negative Declaration annexed hereto are derived from the EAF, reports, submittals and other relevant information.
3. The Town Board hereby declares and adopts the written Negative Declaration annexed hereto.

4. Based upon the Negative Declaration, the Town Board hereby declares that the amendment will have no significant adverse environmental impact, and hereby issues a Negative Declaration under SEQRA.

BE IT FURTHER RESOLVED, that the Town Board directs the Secretary of the Board to:

1. Place on file the Negative Declaration (copy attached) and a copy of this resolution in the office of the Town Clerk.
2. Mail copies of the Negative Declaration (copy attached) and this resolution to the Greene County Planning Board and SEQRA involved agencies, if any;
3. Publish notice of this Negative Declaration in the Environmental Notice Bulletin; and
4. Make the Negative Declaration and a copy of this resolution available for inspection and copying by the public.

BE IT FURTHER RESOLVED that this resolution will take effect immediately.

Councilman Smith seconded this motion.

<u>TOWN BOARD MEMBER</u>	<u>AYE</u>	<u>NAY</u>
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Peter Markou	Aye	
Robert Antonelli	Aye	
Patrick Walsh	Aye	
Michael Smith	Aye	
Kevin Lennon	Aye	

Ayes 5,	Nays 0	Absent 0	Motion Carried
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RESOLUTION # 75-2010

ADOPTION OF LOCAL LAW
NO. 3 OF 2010

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Town Board of the Town of Catskill intend and purpose of this local law is to protect the health, safety, and welfare of pedestrians on sidewalks and streets and of motorists using streets within the Town of Catskill by placing responsibility for the maintenance of sidewalks and private streets upon property owners and occupants of land containing or adjacent to sidewalks; and

WHEREAS, on May 21, 2010, the Town of Catskill referred the action along with the EAF Part I to the Greene County Planning Board, pursuant to General Municipal Law section 239-m; and

WHEREAS, on July 6, 2010 the Town Board of the Town of Catskill conducted a properly noticed public hearing on the proposed amendments; and

WHEREAS, the Town Board, as lead agency under the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA") classified the amendment as a Type I action under SEQRA and issued a resolution adopting the negative declaration on July 6, 2010; so

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby enacts Local Law 3 of 2010 to amend the Town of Catskill Zoning Law, Chapter 138 Article IV (Private Streets) and to create a new Article V (Maintenance of Sidewalks); and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Clerk to file a certified copy of Local Law 3 of 2010 with the New York Secretary of State; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon filing with the Secretary of State as provided by statute.

Councilman Lennon seconded this motion.

<u>TOWN BOARD MEMBER</u>	<u>AYE</u>	<u>NAY</u>
Peter Markou,	Aye	
Robert Antonelli,	Aye	
Patrick Walsh,	Aye	
Michael Smith,	Aye	
Kevin Lennon,	Aye	

Ayes 5, Nays 0, Absent 0 Motion Carried

Councilman Lennon stated he met with the architect and general contractor for the ambulance building. He stated the AC and heating unit was repaired and plumbed correctly. The supply and return was mixed up in back of both systems. He stated he is going to call the company to maintenance the units.

Councilman Antonelli stated the problem was with the water leaking. Councilman Lennon asked if anyone knew of any other problem. Councilman Antonelli stated Lewie handled everything there. Councilman Lennon stated when the HVAC guy is at the community center he is going to touch base with Kevin to look at the ambulance building; same thing with the roofing contractor. He is trying to get a handle on all the situations with the ambulance building and how to correct them.

Councilman Antonelli spoke about the sprinkler system contract for Town Hall and the Senior Center. One was from Albany Fire and the other was from Northeast. He stated each building had a different company and we are trying to have one company handle both.

RESOLUTION # 76-2010 ACCEPT BID FOR FIRE INSPECTION SERVICE
SENIOR CENTER & TOWN HALL.

Councilman, Michael Smith offered the following for consideration and adoption,

WHEREAS, the Town of Catskill wishes to enter into an agreement for servicing the Sprinkler Systems in the Senior Center and Town Hall, and

WHEREAS, the following bids were received from:

North East Fire Protection Systems, Inc.....\$ 590.00 with yearly inspections

Albany Fire Protection, Inc.....\$ 690.00 with yearly inspections

So

THEREFORE, WE, the Catskill Town Board hereby enter into an Inspection Service Agreement with North East Fire Protection Systems, Inc., for the sum of \$590.00/year.

Councilman, Patrick Walsh seconded this motion.

Ayes 5, Nays 0, Absent 0. Motion Carried

He also mentioned the fence for the Senior Center with the price reflecting new posts.

RESOLUTION # 77-2010 ACCEPT BID FOR FENCE INSTALLATION
SENIOR CENTER PARKING LOT.

Councilman, Patrick Walsh offered the following for consideration and adoption,

WHEREAS, the Town of Catskill wishes to install new fencing with new posts around the Senior Center parking lot, and

WHEREAS, the following bids were received:

Catskill Fence Installation, Inc.....\$ 1,350.00

Roma Fence Co.....\$ 1,580.00

A & C Fence Co.....\$ 1,250.00

So

THEREFORE, WE, the Catskill Town Board does hereby enter into an agreement with Catskill Fence Installation, Inc., to supply and install approximately 60 feet, 6 ft. high Galvanized chain link fencing on new galvanized posts around the Catskill Senior Center Parking Lot, for the sum of \$ 1,350.00.

Councilman Michael Smith seconded this motion.

Ayes 5, Nays 0, Absent 0. Motion Carried

Supervisor Markou stated he and the Comptroller are working on the budget. He stated he is not yet at the tentative budget but there is a revenue shortfall of this year \$130,000. He stated for 2011 they will probably come in at a 2% tax rate increase. He stated there have been major cuts. He will be following the timetable for the submission of the tentative budget.

Supervisor Markou stated he has been invited to a meeting next week from the County Chairman. The meeting is for all Town Supervisors and Board Presidents.

Supervisor Markou opened the floor to public comment. Bonnie Schrader of Brookside Campgrounds approached the board and asked if there were to be any revisions to the noise ordinance. She stated the Code Enforcement Officer was at her place of business and told her that the board may be changing the ordinance.

Supervisor Markou stated this is a surprise to him. He stated the board has not discussed changing the ordinance.

Ms. Schroeder asked if there is a mechanism in town law to fine people who make frivolous complaints. Supervisor Markou stated when there is a complaint the code office needs to follow it up. Ms. Schroeder stated she feels she is being harassed by her neighbors. Supervisor Markou stated there is a due process because what would be considered a frivolous complaint? The complaint at time occurring but not when code arrives.

Councilman Smith stated the issues address the complexity of giving the Code Office the responsibility of what is and what isn't legitimate. He stated the issue is not for the board but hers personally with the people making the complaint. He stated there are civil liberties but she will need to hire an attorney to correct the problem.

Ms. Schroeder stated she has spoken with any attorney before and was told it is a hard case. Councilman Smith stated if she is saying it is a hard case then it would be hard for the board too. He stated she should pursue private remedies; tort called harassment.

With no further comment a motion to adjourn the meeting was made by Councilman Antonelli and seconded by Councilman Smith. Meeting ended 7:13 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk

