

Catskill Town Board Monthly Meeting
Catskill Town Hall
August 7, 2012 6:30 pm

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

Absent: Kevin Lennon, Councilman

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

7/3/2012 Town Board Monthly Meeting
Motion: Councilman Antonelli
Second: Councilman Walsh
Ayes 4 Nays 0 Absent 1 (Lennon)

7/18/2012 Town Board Committee Meeting
Motion: Councilman Antonelli
Second: Councilman Walsh
Ayes 4 Nays 0 Absent 1 (Lennon)

7/24/2012 Government Operations Meeting
Motion: Councilman Antonelli
Second: Councilman Walsh
Ayes 4 Nays 0 Absent 1 (Lennon)

7/30/2012 Government Operations Meeting
Motion: Councilman Antonelli
Second: Councilman Walsh
Ayes 4 Nays 0 Absent 1 (Lennon)

The following resolution was reviewed:

RESOLUTION # 92-2012 ADOPTION OF REFERENDUM ON
PROPOSED JOINT FIRE DISTRICT

Councilman Antonelli presented the following for consideration and adoption,

WHEREAS, the Board of Trustees of the Village of Catskill and the Town Board of the Town of

Catskill have determined that it is in the public interest to jointly propose the establishment of a joint fire district pursuant to Article 11-A of the Town Law and Article 22-A of Village Law; and

WHEREAS, the Town Board and the Village Board of Trustees have determined that the proposed action should be submitted to a referendum by the voters within the proposed joint fire district; so

NOW THEREFORE BE IT RESOLVED, that the following proposition be put before the voters within the proposed joint fire district:

Shall the Catskill Joint Fire District be established to provide fire protection services to the Village of Catskill and that portion of the Town of Catskill currently located within the Town of Catskill Fire Protection District?

BE IT FURTHER RESOLVED, that a referendum on the proposition shall be held Tuesday, August 28, 2012, with polling places to be located at the Village of Catskill Firehouse, Central Avenue, Catskill NY and the Little Red Schoolhouse, South Jefferson Avenue, Catskill, NY and the polls to be open from Noon to 9:00 pm; and

BE IT FUTHER RESOLVED, that an abstract of the proposed action, in the form annexed hereto as Exhibit A, be published and posted in accordance with the applicable provision of law.

Councilman Walsh seconded this motion.

TOWN BOARD MEMBER	AYE	NAY	ABSENT
Joseph M. Leggio	x		
Robert Antonelli	x		
Pat Walsh	x		
Kevin Lennon			x
Gary Carlson	x		
Ayes 4 Nays 0 Absent 1 (Lennon)			Motion Carried

EXHIBIT A

ABSTRACT

Shall the Board of Trustees of the Village of Catskill and the Town Board of the Town of Catskill establish a joint fire district (the “Joint Fire District”) to serve the Village of Catskill and that area of the Town of Catskill outside the Village of Catskill that is currently within the Town of Catskill Fire Protection District? Such Joint Fire District is to be governed by a five-member Board of Fire Commissioners, the initial members of which will be appointed by the Village Board of Trustees and the Town Board, with subsequent members being directly elected by the qualified voters within the proposed Joint Fire District. Once the Joint Fire District is established, the Town of Catskill Fire Protection District will be abolished. The Village will transfer the existing firehouse and equipment to the Joint Fire District and the tower apparatus owned by the Village will be rented to the Joint Fire District for an amount equal to the annual costs of retiring the Village’s outstanding debt until March 2016, when it would be conveyed to the Joint Fire District at no cost. Responsibility for the Service Award Program previously established by the Village will be transferred to the Joint Fire District’s Board of Fire Commissioners pursuant to Section 216-b of the General Municipal Law. It is anticipated that the budget for 2013 for the Joint Fire District will be less than \$398,000 with the 2013 tax rate for all taxable property within the Joint Fire District estimated to be \$1.34 per thousand. This represents a decrease of \$0.36 per thousand for Village taxpayers and an increase of \$0.24 for Town taxpayers outside of the Village who are currently within the Town of Catskill Fire Protection District.

Supervisor Leggio reviewed the County resolutions:

Resolution 232-12	Rescinding Res 400-07 and adopting the following schedule of prices for tax maps, map, related items and postage and handling
Resolution 239-12	Awarding bid for #2D Diesel Fuel
Resolution 240-12	Awarding bid for gasoline
Resolution 241-12	Authorizing municipalities to participate in county purchases for #2D diesel fuel & gasoline
Resolution 254-12	Approving reimbursement to comm. Colleges (Catskill’s share \$1,104.54/County \$276.13)
Resolution 255-12	Approving reimbursement to comm. Colleges (Catskill \$2,904.34/County \$1,936.23)

Supervisor Leggio reviewed the monthly reports:

Town of Catskill Code Report

Town of Catskill Cemetery Report

Town of Catskill Ambulance Report

Town of Catskill Comptroller Report-May

Supervisor Leggio moved on to new business. Councilman Carlson proposed looking into a part time administrator for the Town. He stated currently we operate a multi-million dollar budget and like any corporation and even thought the Town Council has a responsibility to all the voters, this is the next step. We currently have a human resource officer and maybe look into combining that position with a part time administrator position. He stated as an elected official, even though we have the best interest of the town, we do not have the tools necessary to look at the day to day operations in a professional manner that is required.

Councilman Walsh agrees with Councilman Carlson that we will have to eventually head in that direction. It is getting to be too time consuming for part time people to do it and there are too many important issues to be discussed and addressed.

Councilman Carlson stated the administrator position is not to supplant the role of the Supervisor or Councilman but to be in addition and would enhance the Councilman's ability to do their job.

Councilman Antonelli agreed with Councilman Carlson. He has stated this for the last three to four years and we are at a point now we are a seven million dollar business and the only difference from us to a regular business is they make money and we try to hold down the taxes. We have different locations; a highway department, a senior center, an ambulance and most of us come into Town Hall. The only thing we see is the operation of Town Hall. We do not really know of all the other things that are going on in the other areas and by hiring a part time, it isn't taking any responsibility away from the elected officials, but the administrator would be our eyes and ears to inform us of what is going on and eventually it will probably be a full time job. We could do away with human resources and that person can take over that responsibility. He thinks it is a great idea and we should explore it and he is in favor of it.

Supervisor Leggio stated he agrees with all of it. On any given day, if he wanted to, he could come down here and spend eight hours a day without a blink of the eye. He doesn't believe, in the best interest of the town, a full time Supervisor would be that. He believes the board to have the openness and the government to be open, you need to have an administrator that is going to be the eyes and ears of the five individuals on the board where as if you have a full time Supervisor he will do what he wants and you are going to lose something. As much as we sit here and agree or disagree, the person sitting in the chair representing the town on a daily basis

has to represent all our interests and not just his over yours. When he was on the board previously, it was discussed and at the time the salaries of the applicants were ridiculous because we weren't even close to the salary they wanted. A good thing will be to get our feet wet with a part time administrator working into a full time administrator and the board can form that job the way they want it to be. Since the budget process will be starting in a couple of weeks we may have to rearrange funds. We have a human resource person but do we need to allocate that much money to human resource and we can redirect those funds and that person can take over the role of human resource. He thinks it is a good avenue.

Councilman Antonelli stated we can't put it on the back burner. If we are going to do this we need to do our research and get it going.

Supervisor Leggio asked for public comment. Mr. Rick Gerard of Palenville asked the latest on the Woodstock Ave repair work. Supervisor Leggio stated as of now our engineer has their plan and the scope of work and we are waiting for FEMA to give the ok for that set of plans. Once they give their ok we can proceed with the bid process.

Ms. Gigante spoke to the board regarding Mr. Murariu and his erection of fences. She stated he has put up stones and then the fence on top of the stones. The fence is 8 1/2 feet high. She stated the fences he is putting around his neighbors is between 8 1/2 to 9 feet tall. She contacted the Code Officer and he stated it is at his direction on whether they can put the fence into a stone wall. She stated they were complaining about the height of the fences and that the Code Officer told her to talk to the board because it was at his decision that the stone wall is ok and he could have the fence that high.

Supervisor Leggio stated he doesn't know what he said to her but his exact words to him was the stone wall below the fence and the fence sitting on top of the stone wall was to be no more than six feet in height and he was going to tell Mr. Murariu that six feet is the maximum height of the fence. If it is three feet of stone and a three foot fence, six feet is the top. You cannot put ten foot posts in the ground and then three feet of stone and set a six foot wall on the top of the stone. Ms. Gigante stated that is not what the Code Officer told her. He told her she had to come to the board. Supervisor Leggio stated he will talk to him about this.

Ms. Gigante also left for the board a copy of her title insurance which shows a perpetual easement for ingress and egress granted to the Town of Catskill as described in Deed 425 page 155. She stated he got a quick claim deed and never had a title search and has no idea that this exists and this is why he is fighting with everyone to get off his property.

Jennifer Gerard approached the board regarding the repairs to happen to the bank that capsized on their road. She stated there are many trees on her road that have multiple colors painted on

them. She asked if they were coming down. Supervisor Leggio stated not to his knowledge and confirmed this is on Mill Rd. He stated they wanted to keep the root structures of the trees and he doesn't believe they are taking any of them down. Mr. Gerard stated there is one tree that is very old and large and it would be ashamed if it was taken down.

Mrs. Gerard stated in the town code 123-5, Article L, building construction repair, the erection, demolishing, repair et al of any building between 9 pm and 6 am the following day and on weekends except all day Sunday except when single individuals or families work on single family residences for their own occupancy. Mr. Murariu drives his back hoe seven days a week sunup to sundown. She stated he doesn't own a single family residence. It is a commercial development. She called the Sheriff and they were less than helpful. She stated the Town Board needs to see what he has done. He has taken a pristine environment and is wreaking havoc. If we get another Irene the banks will be gone. He is undermining the bank. Ms. Gigante stated he has 20 foot holes in back of the Episcopal Church. Supervisor Leggio asked to look at this and he will get back to them.

Dick Schloss stated he came back from vacation and as he was driving down his street there were patches in the Town portion of the road; patches here and there. He stated they blacktopped over the crack where the road is sliding. We now went from a dip to a hump. He stated it is a travesty to waste taxpayer money to throw black top here and there. Either do the job right or don't even do it at all. It is a horror show. It is wrong. He asked the board to take a ride down and check it out.

Supervisor Leggio stated the Highway Superintendent is an elected official and he serves the general public. If they don't want them to do what the general public wants them to do then you don't get reelected. The problem is the only power our board has over the Highway Superintendant is to control his budget. Other than that, I can call him and say go down there and it goes nowhere. Mr. Schloss appreciates the untenable position the board is in with him being elected but the whole process is horrible. There is no accountability. Supervisor Leggio stated he will set a meeting up with all board members and take a look at it. The budget is coming up and if the Highway Superintendent can't work hand in hand with the Town Board then maybe the Town Board is going to have to make some tough decisions this year. If money is going to be allocated then it has to be done in a responsible manner.

Supervisor Leggio asked if there was any further comment. Keith Ruckh asked about the Palenville stream and it is under Federal wetlands and like any other stream how can he dig so close to it. DEC was called on it and nothing was done.

Councilman Carlson stated Federal wetlands start at the water line. State wetlands are 100 feet from the water line. If it isn't encompassing the State they can work right to the water; a foot away.

Mr. Ruckh stated he has the same stream. Councilman Carlson stated where he lives State and Federal overlap. It has to do with the size. A federal wetland can be any size. For it to be a State wetland it has to be three acres or more and where Mr. Ruckh lives it is more than three acres.

Supervisor Leggio asked if there were any other comments. Larry Harris approached the board to see if there was interest in having Coleman Bros re-establish Catskill Days. They would need a 300 by 300 area for access to their trailers. He wanted to see if they could use the High School. Supervisor Leggio stated he would need to contact the school directly as the town has no jurisdiction. He told Mr. Harris to contact the Superintendent of Schools.

With no further comment Councilman Carlson made a motion to end the meeting and Councilman Antonelli seconded. Meeting ended 7:12 pm.

Respectfully submitted,

Elizabeth Izzo
Town Clerk